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THE TIMES



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TUESDAY FEBRUARY 14 1995

Scrapping of border controls urged

Britain faces challenge from Santer

By GEORGE BROCK IN BRUSSELS, PHILIP WEBSTER AND NICHOLAS WOOD

THE European Commission will announce tomorrow a fresh attempt to force Britain to abandon passport controls on EU travellers.

Jacques Santer, the President of the Commission, will tell the European Parliament that he is planning a directive intended to end Britain's right to keep checks at ports and airports to monitor the movements of non-EU citizens who wish to enter Britain. Any such directive would have to be approved by all 15 member states.

Downing Street made clear yesterday, however, that it would veto any attempt to weaken its immigration controls. The Government could also take the Commission to the European Court of Justice, claiming that it is ignoring a declaration attached to the Maastricht treaty which appears to let governments within the European Union control the movements of non-EU travellers.

All the member states have agreed to let EU citizens travel freely across the Union, and next month seven countries will abolish all frontier posts and controls between them.

In London, the Conservative and Labour leaderships walked away from a Commons vote on Europe last night up the warning delivered by Charles Wardle, the industry minister who resigned at the weekend, that the present safeguards were under threat. His claim was supported by lawyers and constitutional experts.

Leading Euro-sceptics re-



Santer: border directive likely to be vetoed

leased a copy of a Commission work programme which, they said, vindicated Mr Wardle's judgment that Britain would be defenceless in the European Court of Justice if its passport controls were challenged.

The fresh alarm over Europe coincided with a call by the Liberal Democrats for a referendum on future constitutional changes in the Union. The Commons vote, staged to exploit Tory divisions, became meaningless, however, as the two main parties advised their MPs to stay away and exposed tensions between Paddy Ashdown and some of his senior Liberal Democrat colleagues.

It emerged that the party's efforts to attract Labour support for the referendum motion collapsed when it became clear that Tony Blair's frontbench team had not been given any details of the plan.

Merzies Campbell, the Liberal Democrat foreign affairs spokesman, complained

testily to Mr Ashdown in a leaked memorandum that he had been wrongly blamed for the failure to tell Robin Cook, his Labour counterpart, of the plans to force the referendum vote. Mr Ashdown had been keen to ensure that Labour were fully aware of the plan before the Commons debate was made public last week.

Ministers insisted yesterday that Britain's position on immigration controls is protected by a general declaration signed by the 12 leaders of the Union - at the instigation of Margaret Thatcher - at the time of the Single European Act in 1985. Although the Act provided for the free movement of people within the EU, the declaration allows member states to take measures to control immigration from third countries or to fight terrorism, crime, and drug trafficking.

Since seven states have already agreed to abolish their border controls from next month, pressure will be increased on the remaining members, including Britain, to follow suit. Italy and Greece are expected to drop their controls before the end of the year.

Mr Wardle, who claimed in his resignation statement that the declaration was "not worth the paper it is written on", said that Britain's position was increasingly untenable. "While that case runs, the

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Warburg managers discuss the latest crisis beside a sculpture entitled *Rush Hour* in front of their office at Broadgate in the City yesterday

Warburgs stunned as chief resigns

By PATRICIA TEHAN, BANKING CORRESPONDENT

THE City's leading independent merchant bank, SG Warburg, was plunged into confusion yesterday after the sudden resignation of Lord Cairns, its chief executive, and the issuing of a profits warning.

Lord Cairns, a friend of the Prince of Wales, had worked for Warburg for 16 years, and has been chief executive since 1991. The board accepted his resignation on Sunday at an emergency meeting in London. By resigning, he is shouldering blame for the failure of merger talks in December with Morgan Stanley, the US-based global investment banking group, and for the departure last week of some key Warburg employees.

Staff have been unsettled since the collapse of merger talks forced the bank to review its loss-making

businesses. It pulled out of Eurobonds last month with the loss of 180 jobs. Last week it lost the heart of its equities operation when Maurice Thompson and Michael Cohrs led a third of its equity capital markets team to rival Morgan Grenfell.

Deutsche Bank, parent of Morgan Grenfell, is creating a new investment banking business in London and is enticing some of the City's best corporate financiers with fat pay cheques and bonuses. Other Warburg staff are said to be seeking new positions, feeling little job certainty where they are.

Sir David Scholey, chairman, who had planned to retire in June when he will be 60, is to combine the roles of chairman and chief executive. Warburg said he would remain "to put the

bank back on track". Brandon Gough, a non-executive director, has become deputy chairman.

Sir David told staff yesterday: "Our first task and highest priority is to revitalise investment bank profitability, taking decisive and substantial action to increase our revenues and reduce our cost base." This was interpreted by staff as a plan to cut further jobs. They fear that as many as 1,000 could go out of 4,472.

Five months ago, such events would have been considered impossible at Warburg, the City's most blue-blooded investment bank. But a hint of problems came in October, when shareholders were warned that its half-year profits would not meet analysts' expectations after a poor six months for equity and bond markets.

In November it confirmed the worst when profits crashed from £148.8 million to £62.5 million.

After yesterday's profits warning, City analysts downgraded forecasts from £160 million for the year to March 31 to £135 million. The shares fell 20p to close at 706p.

Sir David, regarded as an "adopted son" by the late Sir Siegmund Warburg, who founded the firm after the Second World War, was due to hand over as chairman to Lord Cairns in June. He now faces the task of grooming a new chairman, possibly Mr Gough, and finding a new chief executive.

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'Times' sales rise again

Sales of *The Times* hit a new monthly record of 631,449 in January, a year-on-year increase of 175,821, and at 38.5 per cent the highest recorded by any daily or Sunday national newspaper. According to the Audit Bureau of Circulations, *The Times* now has 23.5 per cent of the quality daily market, five percentage points higher than a year ago.

Storms of passion on granite isle

Appointment of a new barmaid to Lundy Island, off the Devon coast, appear to have unleashed a torrent of emotions in islanders' lives. Seven have left, a marriage has ended and the barmaid has been flown to hospital after an apparent overdose. Page 3

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Duke of Kent expresses Britain's regret for suffering of Dresden

FROM ROGER BOYES IN DRESDEN

THE Duke of Kent yesterday broke new ground in Anglo-German relations when he came close to apologising for the British role in bombing Dresden 50 years ago. Marking the anniversary of the raids, the Duke, representing the Queen, said in German: "We deeply regret the suffering on all sides in the war. Today we remember especially that of the people of Dresden."

The short speech was a climax to a day of remembrance in which both British and German speakers acknowledged the horror of the raids and committed themselves to healing the wounds.

President Herzog defended Germany against criticism that it was trying to equate the Dresden bombing with German war crimes. "If you want peace, friendship and reconciliation, you cannot simply keep a bookkeeper's account of the dead, the wounded and the unfortunate victims from different nations. Life cannot be

balanced against life, pain against pain."

The British were nervous about the anniversary, remembering the unfriendly reception accorded the Queen in October 1992. Yesterday there seemed to be a recognition by speakers and listening Dresdeners that the time had passed for raw anger. As tens of thousands followed the delegations from the Church of the Holy Cross (Kreuzkirche) to the ruins of the Church of Our Lady

(Frauenkirche), it became plain that this would be one of the few war anniversaries to pass without serious dispute.

Both the D-Day anniversary last year and the Auschwitz commemorations last month were dogged by rows over the right to mourn and the right to celebrate. The tension was eased to a large degree by the British-based Dresden Trust charity's plan to build a golden cross and orb on the Frauenkirche when it is rebuilt in about ten years. "We

want this cross to be a symbol of the reconciliation between Britain and Germany," the Duke said. "We give it in remembrance of those who died in Dresden and in the conviction that there will for ever be peace between our two peoples."

His statement appears to have satisfied most Germans. President Herzog also used the cross as the symbol of a recast relationship. "This cross, which will stand so high above the city, will remind us always that we have come together again."

Although both the Lord Mayor of Coventry, Nick Nolan, and his Dresden counterpart, Herbert Wagner, made similar conciliatory comments, President Herzog's speech drew most attention. He said that Dresden should no longer be used as part of an unstated prosecution case against the British or the Americans but rather treated as an occasion for mourning and remembrance.

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The Duke of Kent laying a wreath yesterday in Dresden in memory of victims of the bombing

Archbishop calls on taxman to boost marriage

By RUTH GLEDHILL, RELIGION CORRESPONDENT

THE taxman could boost the fading appeal of marriage, according to the Archbishop of York, Dr John Habgood, in a St Valentine's Day broadcast tonight.

In an appeal on BBC Wales, he will urge the Government to provide couples with tax incentives to make marriage more financially attractive. "One encouragement of marriage at government level might be to make it

fiscally more attractive," he says. "There has been such emphasis in legislation in recent years on the equality of partners and not disadvantaging the illegitimate, and on the whole treating cohabiting couples as if they were married. Those who are looking at the possibilities of different lifestyles see no particular advantage for themselves in actually getting married and society seems to be saying through the tax system that it doesn't matter."

He denies that his idea would drive

marriage away from the idea of a selfless commitment. "Selfless commitments need a bit of social support," he says.

The Treasury conceded last night that, apart from the £344 married couple's allowance, which is due to be reduced in April and in practice almost always goes to the man, there are no tax advantages in getting married. It said: "We have to have a fair tax system, and that was widely recognised in the reforms of 1990."

Denise Knowles, of Relate, the

former Marriage Guidance Council, said: "This pulls the rug from under the feet of love. The responsibility for making a relationship last lies with the couple, not with the Government. Marrying for tax incentives would be like marrying for money."

The Archbishop of Canterbury, Dr George Carey, during his Indian visit, denied criticism that the moral authority of the Church of England had been eroded and said yesterday that he stood firmly behind the Prince of Wales and his estranged wife.

Insure for legal fees, Aitken urges

By ARTHUR LEATHLEY, POLITICAL CORRESPONDENT

THE public should take out insurance to cover the costs of lawyers' fees, Jonathan Aitken, the Chief Secretary to the Treasury, said last night in the latest government drive to curb legal aid costs.

Mr Aitken said that Britain needed to follow other European countries and the United States in making more use of insurance to provide for legal action. He said that the amount spent on insurance in Britain was only £70 million, compared with £1.25 billion in Germany.

"These figures suggest that legal insurance is a neglected area in this country and I would welcome the extension of existing private schemes," Mr Aitken said. He added that it was up to the insurance industry to use its commercial judgment.

Ministers are anxious to peg back the spiralling costs of legal aid, which have risen from £363 million in 1986-87 to more than £1.4 billion this year.

Raised in the Highlands



FINEST SCOTCH WHISKY

Quality in an age of change

Audio-visual limpet makes a monkey out of the organ grinder

"UN HOMME avec Dieu est toujours dans la majorité." Numbers don't count as long as God's on your side, said John Knox — but why in French? For Paddy Ashdown any language would have served yesterday. There must be Mondays when the loneliness of the long-distance Liberal Democrat gnaws at the stoutest heart, but Mr Ashdown always manages to convey the impression that God is a Liberal Democrat too.

There he stood, backed by a little cheering clique of fellow

Liberals, itself backed by a big green leather sea of empty Opposition benches, making a brave speech about our common European destiny, while Tories giggled, a couple of Labour backbenchers chatted among themselves, and Dennis Skinner (Lab, Bolton) kept up a machine-gun stammer of toxic expletives.

Poor Mr Ashdown: it was actually quite a good speech. Each Liberal Democrat leader fancies himself on guard duty over the Liberal conscience during the long

watch of the night. He keeps his hopes alive by whistling in the dark and scanning the horizon for the glimmer of an approaching dawn. Will it be he who leads his troops into the sunrise of a Liberal revival? The dawn never comes. Whistle on.

Ashdown was whistling bravely. He has the advantage of believing what he says about Europe. He has the disadvantage of being the chap Dennis Skinner has devoted the second half of his life to tormenting. Skinner

has positioned himself permanently right in front of Ashdown and sits directly beneath the same microphone. It is almost impossible to get a TV shot of Ashdown without the leering image of Skinner directly in front. It is totally impossible to hear an Ashdown speech unpeppered with audible ridicule. Skinner

has thus turned himself into an audio-visual limpet. Like one of those creepy late-night films in which the toys come alive and an innocent nursery tale flips into a gothic horror-movie, this is the story of a Liberal organ grinder dogged by a loony-Left monkey gone feral, refusing to depart, clawing his

shoulder, shrieking and spitting, and spoiling his music with demon cackles and a lunatic grin. When Ashdown finally passes on to the great Liberal Democrat pasture in the sky and they place a modest headstone, eulogising his virtue, by his grave, Dennis Skinner's smaller memorial will be found just in front, blocking it and poisoning the flowers. It will be inscribed with lapidary graffiti: a sports footnote to a Liberal life.

After Ashdown, a minister,

David Davis, replied for the Government. Smart people like to mutter that the capable Mr Davis is the next prime minister but two. Smart people cannot have watched him on his feet. He reminded me yesterday of John Davies, imported into the Commons from a successful business career by Ted Heath, to inject some managerial common-sense into the politics of UK limited. John Davies dived-bombed.

The trouble with these two men is that they carry with

them the stifling aura of a video-assisted presentation to a group of sales reps in the conference room of a Trusthouse Forte motel by a motorway just outside Birmingham on a hot July afternoon. Heckled, they crumple. They cannot spar, they cannot juggle, they cannot dance. They do not stand on their heads. They can't do funny voices. They may be wise counsel and wonderful managers but in the Commons Chamber they bomb. Mr Davis bombed.

Law experts back Wardle claim over EU borders

By MICHAEL DYNES

LAWYERS and constitutional experts yesterday endorsed Charles Wardle's claim that Britain's internal frontier controls were in danger of being declared illegal by the European Court of Justice.

A decision could be made by the end of the year, after the European Parliament lodged a complaint with the court over the failure of Britain and Ireland to abolish all internal border controls.

The impending showdown with the court will add urgency to the debate about the erosion of Britain's immigration controls, sparked by Charles Wardle's decision to resign as junior trade and industry minister over Europe's "open door" policy.

Downing Street insisted yesterday that a declaration appended to the Act enshrined the right of each member state to maintain border controls. But Mr Wardle is adamant that it is "not worth the paper it was written on", and lawyers appear to agree with him.

Mr Wardle has made clear his determination to make sure that the frontier control issue would be high on the agenda of the inter-governmental conference (IGC) next year. Under Article 7a of the Act, each member state is required by law to eliminate all obstacles to the free movement of capital, goods, services and people, as part of the European Union's drive to create the single market.

After pressure from Baroness Thatcher, a declaration was added to the Act, stating that: "Nothing in these provisions shall affect the right of member states to take such measures as they consider necessary for the purposes of controlling immigration." Britain and Ireland have been

convinced that the declaration preserved their right to carry out border checks for illegal immigrants, drug traffickers and terrorists. But the European Commission has made no secret of its view that Britain's interpretation of the declaration is flawed.

Commission officials insist that the attempt to retain internal frontier controls contradicts the provisions of the Act, which defines the single market as an "area without internal frontiers". Moreover, one leading QC who advised the Government on the legal status of the commitments entered into in 1985 bluntly told ministers that they were skating on thin ice as the declaration was subordinate to the Act.

"It will be pleaded that the declaration must be taken into account when interpreting the Act," he said. "But the weight of legal authority is against interpreting the Act by reference to declarations. In addition, the declaration does not state unambiguously that member states can maintain frontier controls on people coming from other member states. Relying on the declaration is no guarantee of success," he said.

A confidential report written for John Major some 18 months ago by Geoffrey Fitchew, the former head of the Cabinet Office's European Secretariat, confirmed suspicions that the declaration was effectively worthless.

Frank Vibert, director of the European Policy Forum, a think-tank specialising in European constitutional issues, said: "Declarations do not have the same legal standing as provisions in a treaty and are vulnerable to encroachments by the court."



Charles Wardle after his resignation. He made little secret of his feelings for civil servants, accusing the Home Office of poor management

Officials knew when they'd been Wardled

By NIGEL WILLIAMSON, WHITEHALL CORRESPONDENT

CHARLES WARDLE, the government minister who resigned at the weekend, complained directly to the Prime Minister on at least two occasions that senior civil servants at the Home Office were not up to the job.

Observers said that Mr Wardle's relations with his senior civil servants, who have described his attitude as overbearing, were among the worst seen in Whitehall between a minister and his private office. The problem grew so serious that last year it was informally brought to the attention of Sir Robin Butler, the Cabinet secretary and head of the Civil Service.

According to one source, officials in Mr Wardle's office on one occasion discussed walking out in protest at his sharp tongue. They did

not do so because they feared that their careers would be affected.

Mr Wardle has made little attempt to conceal his contempt for civil servants. He wrote to Mr Major last



Sir Robin Butler: informal approach

month, some time after he had been moved to the Department of Trade and Industry, complaining that the Home Office, where he was responsible for immigration affairs, was characterised by poor management. He said that basic managerial skills were absent, that officials lacked qualification for the job and compared badly with the private sector. The letter also makes clear that it was not the first time Mr Wardle had taken the matter up with the Prime Minister.

There are no official guidelines covering relations between ministers and civil servants. The only comment a government spokesman was offering yesterday was that civil servants, like anyone else, "expect to be treated civilly". Nor do any formal

procedures exist for senior officials to make a complaint about a minister. It is up to the aggrieved official to decide whether to discuss the matter with the departmental permanent secretary, write to Sir Robin or seek the assistance of the First Division Association, the trade union for senior civil servants.

Last year Liz Symons, the general secretary of the association, told the Commons Civil Service Select Committee that her association had had complaints about at least two ministers who bullied and verbally abused civil servants. She declined to name the ministers in question, claiming that her members feared victimisation.

A flashpoint between Mr Wardle and civil servants occurred last year when he

declined to publish a report on refugees in Britain produced by the Home Office research unit. Mr Wardle questioned the integrity of the civil servants who had produced the report and demanded to see the transcripts of the interviews on which it was based.

One person who worked closely with him said yesterday: "In meetings with Charles Wardle there was always more than a normal amount of listening, far more than you expect with other ministers."

Civil servants at the Home Office even coined a word for being bawled out by the former immigration minister. After a dressing down officials would ruefully tell colleagues they had been "Wardled".

Britain faces new challenge by Santer

Continued from page 1

other countries in Europe have begun to dismantle their frontiers. So before long we will be well and truly isolated," he said on BBC Radio 2 yesterday.

Downing Street insisted that whatever the Commission said, declarations signed by heads of government carried "great weight". The assurance failed to convince Tory Eurosceptics, however. They pointed to the Commission's legal interpretation of article 7a of the Treaty of Rome as amended by the Single European Act of 1985.

The interpretation states: "The Community internal market must operate under the same conditions as a national market: just as there are no border controls between regions in a single member state, goods, services, capital and individuals must therefore be free to move, unimpeded by any border controls, between member states."

"Article 7a therefore establishes a clear and simple objective that allows no margin of discretion... Power to impose controls or penalties which were exercised only on the occasion of, or in connection with, the crossing of an internal frontier would, therefore, be contrary to Article 7a," said Duncan-Smith, Tory MP for Chingford, said that the declaration obtained by Mrs Thatcher in 1985 had no force in law and would be disregarded by the European Court of Justice in Luxembourg.

"Declarations are not part of treaty obligations. They are inter-governmental and the European Court does not rule on inter-governmental issues. It rules solely on what is in the body of the treaties. This paper confirms all the warnings Charles Wardle has given."

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Dublin steps up peace pressure

By NICHOLAS WATT, IRELAND CORRESPONDENT

THE Irish Government will step up pressure on Britain today to release IRA prisoners and to open full-scale ministerial talks with Sinn Féin.

Dick Spring, Ireland's Deputy Prime Minister, is expected to underline Dublin's concern that Britain is moving too slowly in the peace process when he meets Sir Patrick Mayhew at Stormont Castle. Mr Spring will tell the Northern Ireland Secretary that Dublin has granted important concessions to Sinn Féin by freeing IRA prisoners in the Republic and by holding ministerial talks with the party. He will echo Sinn Féin's demands for Britain's exploratory talks with Sinn Féin to move to a ministerial level.

The two ministers will also hold talks on the forthcoming Anglo-Irish framework document. Both sides are keen to publish the document soon to allay Unionist fears that it will give Dublin an unprecedented role in the affairs of Northern Ireland after The Times disclosed details from the document. Dublin also wants to publish the document before Sinn Féin's annual conference, to be held in Dublin later this month, when the party will give its most detailed response to the peace process.

Negotiations on the framework document have been held up over changes to the Irish constitution, and the extent of the powers of cross-border bodies which will be proposed in the document. The discussions in Belfast will follow a meeting in Downing Street this morning between John Major and senior members of the Ulster Unionist Party. It is under-

stood that the Prime Minister will hold talks on the framework document with David Trimble, the MP for Upper Bann, Willie Ross, the MP for Londonderry East, and the Rev Martin Smyth, the MP for South Belfast.

Yesterday Sir Patrick condemned as "barbaric and repulsive" a series of punishment beatings that left nine people in hospital over the weekend. The Northern Ireland Secretary said that the beatings by suspected loyalist and republican paramilitaries must end, and he described the attacks as a "flagrant violation of the rights to live free from fear of violence."

His comments followed three separate attacks in Belfast and Londonderry. In the most serious, in West Belfast, seven suspected republican paramilitaries beat a 19-year-old boy around the legs with a baseball bat spiked with nails.

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Woman in court over abduction

A mother of three appeared before magistrates yesterday charged with abducting the baby Lydia Owens from a hospital in north Wales and was remanded to a psychiatric unit. Susan Brooke, 39, of Rhyl, Clwyd, was accused at Prestatyn Magistrates' Court of the abduction of Lydia from Glan Clwyd Hospital, Bodelwyddan, last Friday. The baby, born last Tuesday, was discovered by police on Saturday two hours after Mrs Owens made a broadcast plea for her return. Lydia was returned to her parents safe and well.

At the 70-minute hearing, during which reporting restrictions were not lifted, Mrs Brooke, who was arrested by North Wales police on Saturday afternoon, spoke only to confirm her name, age and address.

Glencoe search fails

Rescuers in Glencoe failed to find any trace of the missing climber Allan Sands yesterday but another man was found on Ben Nevis, suffering from severe hypothermia. Sacha Backus had fallen while climbing with a companion, who is still missing. The search for him and for Mr Sands, who has been missing since Friday, will resume this morning.

Saatchi rivals in court

The first round in the High Court clash between Saatchi & Saatchi and its founder, Maurice Saatchi, has ended with both sides claiming victory. The agency failed in a preliminary attempt to prevent Mr Saatchi from setting up a rival business, but effectively won a temporary block against three senior defectors.

Magistrates spared

The Lord Chancellor is expected to grant magistrates an undertaking that they will not have to meet the legal costs of poll tax defaulters they unlawfully jailed. A judge recently ordered magistrates at Middlesbrough, Greater Manchester, to pay the costs of High Court proceedings. Magistrates do not have the legal immunity of full-time judges.

Cantona may sue ITN

Eric Cantona may sue ITN for libel and invasion of privacy after his fracas with a film crew while on holiday in Guadeloupe, his lawyer said in Paris yesterday. Alex Ferguson, the Manchester United manager, has backed Cantona, saying: "To film without permission a man's six-month pregnant wife in her swimsuit is deplorable."

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NORWICH UNION

Storms of passion sweep granite island

'She was a skivvy and now she's queen of Lundy'

By DOMINIC KENNEDY

SCANDAL has divided Lundy Island (population 11). Since the arrival of a new barmaid last spring, seven islanders have left, a marriage has ended and the femme fatale has been flown to hospital after an apparent overdose.

Lundy, a windswept hunk of granite 11 miles off the north Devon coast, usually serves as a holiday haven for bird-watchers or romantics eager to escape the bustle of life on the mainland. One of the rules of the island is that lights must go out at midnight when the windmill-generated electricity supply is turned off.

The appointment of Cait Scanlon, 26, as a temporary barmaid at the island's only pub, the Marisco Tavern, appears to have unleashed a torrent of emotions in the pastoral lives of the islanders.

Ms Scanlon, an amateur astrologer, is said to have declared there were too many Taurans and Cancerians on the island. Within months, two couples born under those star signs had left.

Another who has gone is Wendy Puddy, who took her two children after splitting up from her husband John, 45, the island's agent for the past 14 years. Earlier the Landmark Trust, which manages Lundy, had asked Ms Scanlon

to return to the mainland. Robin Evans, the director, said: "Wendy and John's marriage was splitting up. I just felt it was a calming influence if Cait left the island for a while, while John sorted his marriage out one way or another."

Ms Scanlon was allowed to return to Lundy when Mr Puddy confirmed he was separating from his wife. Ms Scanlon has moved into the Puddys' three-bedroom, timber-framed home.

Mr Puddy has been on the mainland for the past week, working at his office in Bideford and overseeing work on the MS *Oldenburg*, the island's boat, which is in dry dock for annual checks.

He was signed off work for a fortnight by his doctor last Friday. The same evening, Ms Scanlon was flown by helicopter to North Devon District Hospital after apparently taking paracetamol and alcohol. She was soon discharged.

Deborah Congdon, whose husband used to be Lundy's engineer, said: "I think [Mr Puddy] was totally dazzled by a very bright, energetic and attractive young woman. She's very eye-catching. She's got long, bright-red hair, blue eyes, a nice face, slim and very bright and bubbly," Philip



John Puddy on Lundy: since his wife Wendy, top, has left the island with their two children, Cait Scanlon, above, has moved into the couple's home

Congdon was dismissed by the trust in December for "moodiness". Andrew Gibson, wildlife warden for six years, left in the autumn with his wife Lorna for a job on the Isles of Scilly.

Mrs Congdon, who worked in the tavern and cleaned cottages, said: "Cait was a very vivacious and friendly girl

who had a tremendous interest in astrology. She always said there were too many Taurans and Cancerians on the island. Phil and Andrew are both Taurans and Laura and I are both Cancerians, and now we've all gone."

Mr Gibson said: "Even if I hadn't got another job, we would still have gone. The

atmosphere was terrible." Ms Scanlon, he said, "came to the island to work in the tavern and do general skivvying and now she's the queen of Lundy". The first islander to succumb to her charms was Les Picher, an unmarried farmhand.

"We were an item for a while," he said yesterday. "She

was a bit odd. She would just wear black and green and she was into all that spiritual stuff."

"You must remember I was working for five months among 600 sheep, so she was a vision of loveliness to me. To start with she was OK, but she was the sort of girl you would sit down with, and within an hour she would be talking to

someone else. I never relied on her for anything. If you arranged to meet her at a certain time, she would meet someone in the street and go off for a drink at their house."

"She could drink with the best of them. She loved champagne. She would come into the pub and order bottles of champagne."

Oyston friend gets bail on sex charges

By A STAFF REPORTER

A FRIEND of the millionaire Owen Oyston was given bail last night after being accused of 19 rapes and 40 other sex offences.

Peter Martin, 55, a former policeman, was kept in custody for up to 48 hours pending an appeal by the prosecution against the magistrates' decision. He was charged after Mr Oyston was bailed on multiple rape charges last week.

Their separate court appearances follow a five-month inquiry into a model agency that Mr Martin helped to run in Manchester. Yesterday it took the clerk at Trafford Magistrates Court in Sale almost 15 minutes to read out the 59 charges against Mr Martin.

Apart from the 19 rape charges, he is accused of 31 indecent assaults on women and young girls and of helping to run an international sex ring with his former girlfriend and Mr Oyston. He is also charged with five offences of taking indecent photographs of girls under 16 at Central Models agency. A further two allegations are that he kept a disorderly house at the agency and at his home.

Tracy Marie Grainey, 28, his former girlfriend who helped to run Central Models, is charged with keeping a disorderly house, indecent assault and procuring girls. They were both given bail until March 27.

Tories' big benefactor shunned mod cons

By EMMA WILKINS

A RETIRED construction company owner who left more than £1 million to the Conservative Party in his will lived frugally and shunned the trappings of modern life.

John Jackson, who died last year aged 79, owned neither a television nor a car and ventured out of his Bournemouth home to the shops only occasionally on his bicycle. "There was no outward sign that he was a wealthy man," Sheila Skellon, a family friend who was granted probate on Mr Jackson's will, said. "He never took a holiday and didn't socialise — but then he had no interest in material things. He was a very private man whose great love was his garden."

Mrs Skellon said that Mr Jackson had confided his intention to make the bequest — the largest single legacy ever received by Central Office — two years ago. "He saw the legacy as a way of giving back the money to the people who helped him make it in the first place."

The family construction firm, Jackson's Builders, was founded by his father Arthur in the 1930s. Mr Jackson's family pre-deceased him and he never married.

The Tory party, which has an overdraft of £16 million, will spend the bequest on its general election campaign.

An architect has left up to £2 million to St Edmundsbury Cathedral in Bury St Edmunds, Suffolk. Stephen Dykes Bower, a specialist in Gothic architecture, spent much of his life drawing up improvements for the former parish church, built in the 14th century as a pilgrim's chapel. He never married and died last November, aged 91.

The Provost, the Very Rev James Atwell, said it would be premature to make assumptions about the will until he had met the trustees today.

Troops join hunt for boy's killer after new attack

By NICHOLAS WATT, IRELAND CORRESPONDENT

TROOPS in the Irish Republic joined the hunt for the killer of a five-year-old boy yesterday after an elderly woman was attacked in her home near the scene of the murder.

More than 100 police and troops with tracker dogs searched the countryside around Carragh, Co Kildare, after Claran Malone was stabbed to death in his bedroom on Saturday night. A second search centred on the town of Newbridge, five miles away, after a pensioner suffered severe head injuries in an attack on Sunday night.

Police, who said they feared the two assaults were linked, set up roving checkpoints in the area, which is close to the main Dublin to Cork road. A



helicopter joined the search and diving teams searched the River Liffey near Carragh.

Police found two holdalls containing clothing, cash and a knife at the rear of Claran's house and by the river. Detectives suspect that the killer may have stored the gear, but was forced to change plans after he was challenged by the boy's father.

Detectives took the unusual step of publishing the name and photograph of a man wanted for questioning in connection with the stabbing of Claran. Jerome Kavanagh, 21, a neighbour and apprentice printer, has been missing since Saturday night.

Chief Superintendent Tony Mulligan, who is leading the

hunt, said: "I would appeal to people to search their sheds and barns. I doubt he is being given shelter by anyone."

Locals described Mr Kavanagh as a loner who had few friends and spent most of his time at home with his parents. The Kavanaghs frequently looked after Claran, and the youngster spent two weeks at their house last month when his parents went on holiday to Spain. The two families visited each other yesterday.

Claran was stabbed to death in an apparently motiveless attack by a man wearing a balaclava on Saturday night. Claran and his two younger brothers were being looked after by their mother Mary and their aunt, Patricia Brereton, when the attacker entered the family home at 8.40pm on Saturday.

Mrs Malone answered the door to the assailant who tied up the two women, forced them upstairs and pushed Claran and his aunt into the same room. The attacker then stabbed Mrs Brereton before cutting Claran's throat in front of his three-year-old brother. Mrs Brereton was stable in hospital yesterday.

Soon after the stabbing, David Malone, the victim's father, returned home and pinned the attacker to the ground. His balaclava fell off and Mr Malone recognised the intruder but he managed to escape through a window.

Within 24 hours of the stabbings Ann Curran, 72, was found with severe head injuries at her home in Newbridge.

Mrs Curran, who was seriously ill in hospital in Dublin yesterday, was found at the back of her bungalow after neighbours heard her screaming. She had been assaulted after returning from evening prayers. The blows fractured her skull.

Valentines pay price of love

By MARIANNE CURPHEY

A RECORD number of hopeful lovers will spend £45 million on cards and flowers to mark Valentine's Day today. The typical lovestruck Briton spends £1 on a Valentine's card and £2 on a single red rose.

More than 20 million cards, most featuring risqué messages or fluffy animals, and seven million roses will be exchanged. Harrods is selling roses for £6 a stem, beluga caviar for £68 for 50g and oysters at £1 each. There is still time to buy a £7,600 8ft oval bed, or a pair of lovebirds for £160.

British Airways says 50 men intend to propose in the clouds during a £1,000 Concorde flight over the Bay of

Biscay. Many restaurants are fully booked, and thousands of couples will head off on romantic breaks to Paris and Rome this weekend.

The demand for roses is such that millions have been rushed in from Israel, The Netherlands, Colombia, Venezuela, Kenya, the Channel Islands, the Canary Islands and South Africa. British Airways World Cargo has also flown in 3.5 million carnations. Most are bought by last-minute romantics.

The number of Valentines winging their way by first-class post has reached 10 million this year, up one million on 1994, according to the Royal Mail. Lover post office, near Salisbury, Wilt-

shire, has seen a 50 per cent increase in the number of Valentine's cards posted.

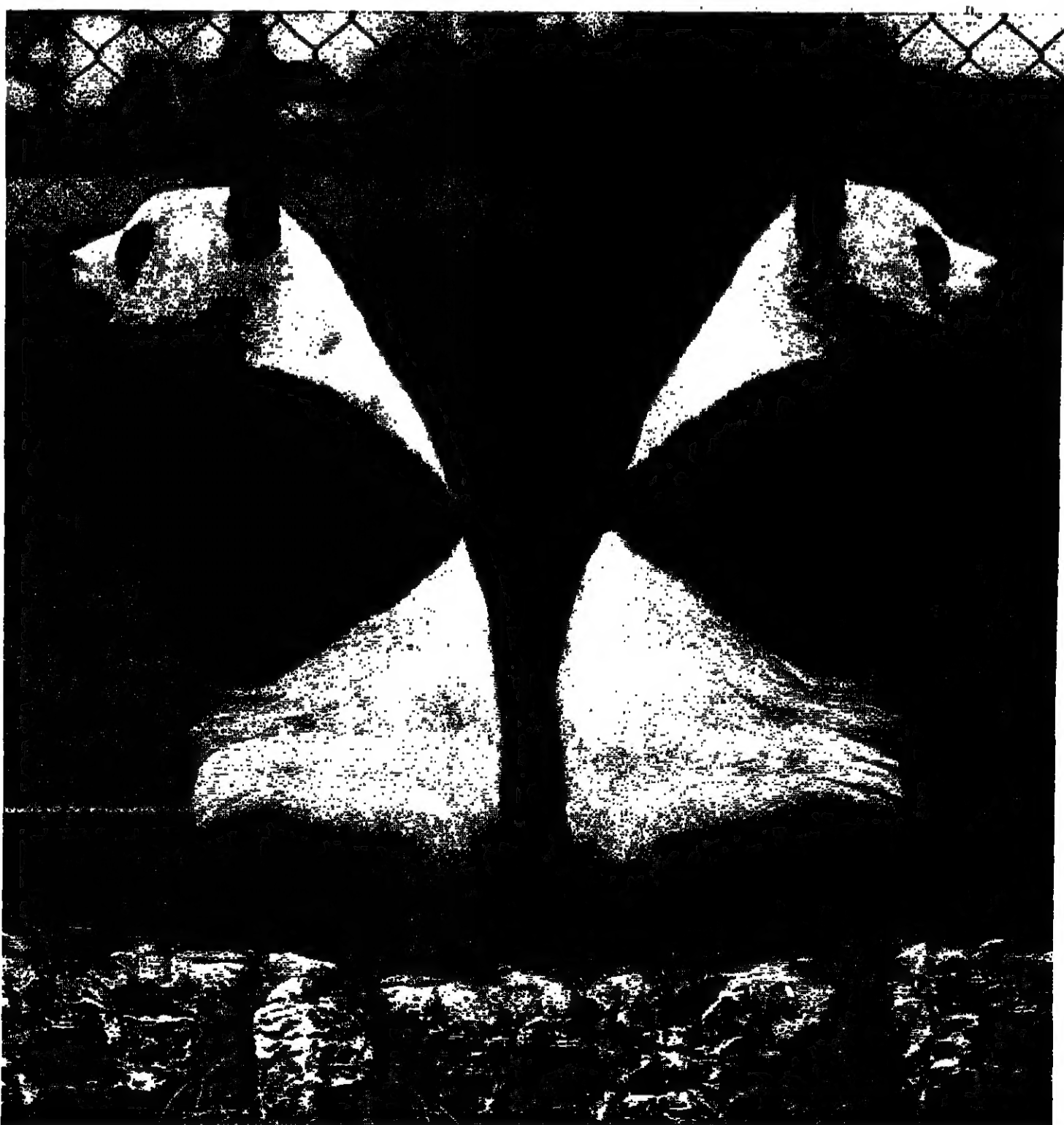
According to a MORI poll, however, most couples will spend Valentine's night watching television, going to the pub, dancing or arranging a meal at home, rather than going out for a meal. An unromantic 1 per cent will go to a football match.

Talk Radio, launched this morning on 1053 and 1089kHz medium wave, has banned talk of love on Valentine's Day. Hosts of phone-in shows have been told to pull the plug on any callers who become sentimental.

Nigella Lawson, page 15
Messages, pages 20, 21

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Trust blames Charters-Ancaster merger on falling demand for single-sex education

Fighting fund launched to block school merger

BY LIN JENKINS

PARENTS have launched a fighting fund to reverse the decision of an independent schools trust to close a leading girls' public school.

Campaigners are to mount a legal challenge to save Charters-Ancaster School in Bexhill-on-Sea, East Sussex, after the Girls' Public Day School Trust announced on Saturday that it would merge the school with Battle Abbey School, a co-ed 5 miles away, because of a lack of local demand for single-sex education.

Parents believe the trust may have been motivated by the prospect of selling the 11-acre site, which is worth about £4 million. Helen Alaily, chairman of the Friends of Charters-Ancaster School, whose daughter Jeehan is head girl, said: "We are told it is because there are not enough pupils."

"But we believe otherwise. If there had been a problem over money or falling numbers they would surely have told us and we could have helped to do something." She said it

was quite extraordinary that there had been no notice or even inkling that the school was in trouble. "It is appalling that we have been treated in this way."

Ivor Brampton, a governor at the 250-pupil school, and a local Conservative councillor and deputy lieutenant for Sussex, said he was not informed about the proposed merger. "At the meeting where it was announced I had to make my



Brampton: astonished by proposed merger

position abundantly clear. I knew nothing about it. I am devastated by this decision and it has been handled with total insensitivity."

A letter from the campaigners will arrive at the Charity Commission today questioning whether the trust, a registered charity that owns 26 schools, has acted within its charter and within the laws governing charities. But the trust dismissed parental allegations of asset-stripping and disclosed that the Charity Commission had already approved its proposals to amalgamate with Battle Abbey School in September.

Michael Oakley, secretary of the Girls' Public Day School Trust, said it had been subsidising the school by £100,000 a year since it took control in 1988. He said the trust was heavily committed to making a success of the merger and was committing "land, buildings and money" worth more than £250,000 a year.

He said that the trust had invested heavily in staff and new buildings at Charters-

Ancaster and, although academic standards had risen significantly, not enough new pupils had been attracted. As a small school, and the only one of the 26 to take boarders, it did not fit easily under the trust's umbrella.

Mr Oakley rejected as nonsense the suggestion that selling the site had been a motive in merging the school. He said parents had not been told until after the decision was made to avoid weeks of speculation and rumour which would otherwise have jeopardised delicate and complicated merger negotiations.

David Authers, assistant secretary of the Association of Teachers and Lecturers, which represents most of the teachers, said: "If this merger takes place, we want as many children as possible to transfer to Battle Abbey to make the enlarged school viable and offer continuity for pupils and teachers." For every 15 pupils who enrol for Battle Abbey in the next school year, one teacher from Charters-Ancaster will be given a job.



Helen Alaily, chairman of the Friends of Charters-Ancaster School and her daughter Jeehan, who is head girl

Independents hit by decline in boarding

BY BEN PRESTON, EDUCATION CORRESPONDENT

THE sharp decline in the number of parents choosing a boarding education for their children is taking a grave toll on smaller independent schools such as Charters-Ancaster.

Head teachers and governors, as in any private business faced with dwindling demand, have struggled to make ends meet as pupil numbers have fallen by an eighth in the past two years. There has been a steady stream of recent closures, despite the emerging economic recovery. Schools had hoped the expense of boarding was responsible for its decline. But they have found that today's parents are increasingly unwilling to "send their children away", particularly at an early age.

The latest census of the 1,350 members of the Independent Schools Information Service (Istis) discloses that boarding numbers continue to fall but the rate of decline is slowing. It is down from 6.2 per cent in 1992 to 5.2 per cent last year. Schools in rural areas have found it especially hard to compensate by increasing day pupil rolls.

Dick Davison, deputy director of Istis, said that 12 member schools had closed

last year, but noted an encouraging trend for governors to seek mergers before financial problems became overwhelming. Mr Davison cited last week's decision by Pentchos College, a girls' boarding school in Colwyn Bay, Cwyl, to merge with its larger mixed neighbour Rydal School. He said this was better for pupils and parents than the closure last summer of Felbstowe College in Suffolk. The school, a victim of falling pupil numbers, told parents a month before the end of term that it would not reopen in September.

Mergers, however, can be as controversial as outright closure with parents. Some at Hawtrey's protested at the preparatory school's speech day in July after it was disclosed that the head was being paid as an incentive to persuade pupils to transfer to Cheam, in Berkshire, as part of a merger.

The Girls' Public Day School Trust is adamant that it is acting in the best interests of pupils at Charters-Ancaster. The trust, founded in 1872, is responsible for an impressive number of "blue chip" schools. Charters-Ancaster is the only trust school to take boarders.

GP murder charge dropped

A murder charge against Dr Patrick Alesworth, 48, accused of killing his daughter Sara at their home in Aylesbury, Buckinghamshire, last April, was reduced to manslaughter yesterday. Reading Crown Court adjourned the case against Dr Alesworth, a GP, for two weeks.

Two remanded

David Moon, 18, and a youth aged 15 were remanded in custody by magistrates at Bromley, southeast London, charged with murdering Emily Sims, 16, after a dance.

Fireman fined

A Leicester fire-engine driver on an emergency call who hit a car after going through a red light was fined £250 by magistrates for careless driving.

Debut flight

A United Airlines Boeing 777 will make the 300-seat aircraft's first fare-paying passenger flight from Heathrow to Washington DC on June 7.

Pensioned off

Connie Reay, 77, of Whitley Bay, Tyne and Wear, came out of hospital to find a bank computer error over her pension had left her officially dead.

Nuclear fishing

A nuclear reactor at Dungeness A power station in Kent had to be shut down yesterday after a shoal of sprats got into the cooling system.

Northern Ireland pupils excel in GCSEs

BY NICHOLAS WATT, IRELAND CORRESPONDENT

PUPILS in Northern Ireland outperformed their English counterparts in GCSEs, according to Government figures published yesterday. Forty-nine per cent of pupils in the Province achieved five or more GCSEs at the top A-C grades, compared with 43 per cent in England.

The proportion of fifth-formers in Northern Ireland who did not achieve any GCSEs in 1993-94 fell by one percentage point to 5 per cent. In England the proportion rose by one percentage point to 8 per cent.

The Department for Education in Northern Ireland said the figures reflected the quality of teaching. But Father Denis Faul, principal of St Patrick's Boys Academy in Dungannon, Co Tyrone, which was equal top of the league, said they "failed to give the whole picture".

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Lottery competition forces pools firm to cut £8m charity cash

BY ALEXANDRA FREAN, MEDIA CORRESPONDENT

A FOOTBALL pools company is being forced by competition from the National Lottery to cut donations to charity by £8 million a year.

Vernons said yesterday that after suffering a 15 per cent fall in turnover since the introduction of the lottery in November, it would be stopping its voluntary contributions to the Foundation for Sports and the Arts from next year. The company has traditionally donated 5p in every pound of its turnover to the FSA.

Phil Jarrold, managing director, said the company deeply regretted the decision. "We must however give priority to investing in our business so that we remain a strong competitor to the National Lottery in the years ahead."

Last month Vernons announced that it was laying off more than 90 of its full-time staff as a direct result of the National Lottery. Sir Tim Rice, chairman of the FSA, said the withdrawal of Ver-

non's donations was a body blow to the foundation. "It seems to be defeating the point of the National Lottery, which was founded to raise money for good causes, if it results in money being diverted away from other sources of funds for sport and the arts."

Sir Tim added that the pools companies faced unfair competition from the National Lottery since they paid more in tax and had greater restrictions on prize pay-outs and promotion. "They are taking on the National Lottery with one hand tied behind their back."

Vernons emphasised that although it was suspending voluntary donations to the FSA, it would continue to pay the 2.5 per cent levy that is obligatory under the 1991 Finance Act. Since the FSA was created in 1991 it has received £42 million from Vernons through contributions. Last year the company gave £8.2 million in voluntary donations

and £4.1 million through the levy.

In a separate development yesterday, an opinion poll commissioned by the TSB Bank found that 75 per cent of those asked think the size of the National Lottery jackpot should be reduced and the number of smaller prizes increased. According to the survey of 979 people conducted by NOP, 54 per cent said the upper limit should be £5 million or less, while 26 per cent said there should be no upper limit.

A spokesman for Camelot, the National Lottery operator, said its own surveys showed the public was split 50-50 on whether the jackpot prize should be restricted.

Camelot said yesterday that only one ticket containing all six winning numbers — 15, 18, 29, 35, 38 and 48 — had been sold for Saturday's draw. It was not known if the winner had come forward to claim the prize of £9,015,108.



PC Secar: "He was more like a brother"

PC denies rape of fellow officer

BY LUCY BERRINGTON

A WOMAN police officer was raped after a new year party by a drunken colleague she regarded as an "English gent", the Old Bailey was told yesterday.

PC Michael Secar, 25, of Lightwater, Surrey, denies raping the 23-year-old WPC from the Surrey force after a "toffs and larks" party on January 1 last year.

The woman told the court PC Secar had been a close friend. "He was almost like a brother, very caring, very friendly, an English gent."

She did not go to the party but spent most of the evening at home, where she was briefly visited by various friends, including PC Secar, who gave her a "thoroughly unwelcome" drunken embrace.

He had left the room but soon after 2.30am joined the WPC, who was sitting with her boyfriend, a fellow police officer who had just come off duty and who was a friend of the defendant. Her boyfriend had left to have a shower and the defendant had talked about how drunk

he was. "He asked could I help him go to his room," she said.

She had supported him as he staggered along the corridor. In his room he had locked the door, tried to kiss her, bit her neck and, when she resisted, forced her to the bed. There was a prolonged struggle and he raped her, she said. He was holding her down by the wrists. "I couldn't understand how someone who could hardly walk, who was slurring their speech, could suddenly change."

He had stopped suddenly and she had returned to her own room where her boyfriend was already asleep.

Peter Clarke, for the prosecution, said she kept the attack secret and did not mention the rape until the spring of 1994 when she made a formal complaint to senior police officers.

PC Secar was alleged to have said that the two of them had embraced but insisted that at no time had they had sexual intercourse. The case continues.

Hospital tells 999 drivers to go away

BY NIGEL HAWKES

HOMERTON Hospital in east London yesterday asked the ambulance service not to bring any accident and emergency cases until further notice because it is full.

"We're still open for walking wounded or for cases like stabbings but we've asked ambulances to divert to other hospitals," a spokeswoman said. The pressure on the hospital, in Hackney, has not been caused by the closure of accident and emergency services at St Bartholomew's Hospital but by the annual peak in respiratory infections and the number of older people too frail to send home.

This is the third time in the past few months that the hospital has asked ambulances not to bring new patients.

Surgeons at Guy's Hospital in London have threatened to stop operating when the hospital's intensive care beds are transferred to nearby St Thomas's. Only three of the hospital's 30 consultant surgeons are confident that they can continue operating safely.

Teenagers held after woman is impaled

BY PAUL WILKINSON

A WOMAN was critically ill last night after being impaled on railings when she was hit by a stolen car.

Three teenagers, aged 13, 14 and 16, have been questioned by police over the incident in Sheffield on Sunday.

Collette Maragh, 27, a student, underwent two hours of surgery in the Royal Hallamshire Hospital, Sheffield, where surgeons had to close a wound in her throat and then set a number of broken bones. She also has severe internal injuries.

Last night her condition was said to be "critical" but stable. She was on a life-support machine. Her parents, who had travelled from their home in Luton, Bedfordshire, on Sunday were at her bedside.

Miss Maragh, who is in the second year of a communication studies course at Hallam University in Sheffield, was standing on the pavement near her student digs when the car turned at speed into the street. Witnesses said the driver appeared to lose control, narrowly missing several parked cars on his own side of the road before swerving to the wrong side, mounting the kerb and striking Miss Maragh. She was tossed into the air and fell on to a spiked fence surrounding a commercial property. She then fell to the pavement.

The car, an Austin Montego stolen in Sheffield in the early hours, ploughed through the railings, careered down a bank and rammed a wall. Witnesses reported at least two youths running away. Other students came to Miss Maragh's assistance and one, a medical student, gave her first aid.

Teacher sacked over sex lessons

BY A STAFF REPORTER

A BIOLOGY teacher sacked over topics he covered in a sex lesson was within council guidelines, an industrial tribunal was told yesterday.

The Manchester hearing was told that Vincent Pedley, 50, could not have breached the sex education policy at the Jewish King David High School in Crumpsall, Manchester, because he had never seen it.

Mr Pedley was dismissed from the school after parents complained that he had discussed masturbation and oral sex. He was alleged to have told one mixed class that he had been "turned on" when giving his first sex education lesson and told a girl that he liked her cleavage.

The governors ruled that Mr Pedley, of Urmston, Greater Manchester, was not qualified to deal with such sensitive issues and should have referred pupils who asked explicit questions to the Jewish studies department.

Mr Pedley is claiming unfair dismissal against the school and Manchester council. David Isherwood, who worked at the school for 17 years, said that one of the pupils who made allegations against Mr Pedley was "a boy who made wild statements and caused trouble".

Peter Bentley, representing Mr Pedley, who was dismissed for gross misconduct in 1993, said that the city council's education policy required teachers to "deal with all aspects of human sexuality". Teachers were supposed to "develop the personal confidence of the individual to talk about sexuality, using the appropriate vocabulary".

The hearing continues.

Red Cross loses NHS café to McDonald's

BY GILLIAN BOWDITCH, SCOTLAND CORRESPONDENT

THE fast-food chain McDonald's is considering opening its first branch in a Scottish hospital. The company is in talks with the Southern General NHS Trust in Glasgow with a view to taking over a café run by the Red Cross in the hospital shopping mall.

When the Southern General became an NHS Trust last year the Red Cross was told it would have to put in a new tender for the site but it was outbid by McDonald's. A decision on the project will be made next week.

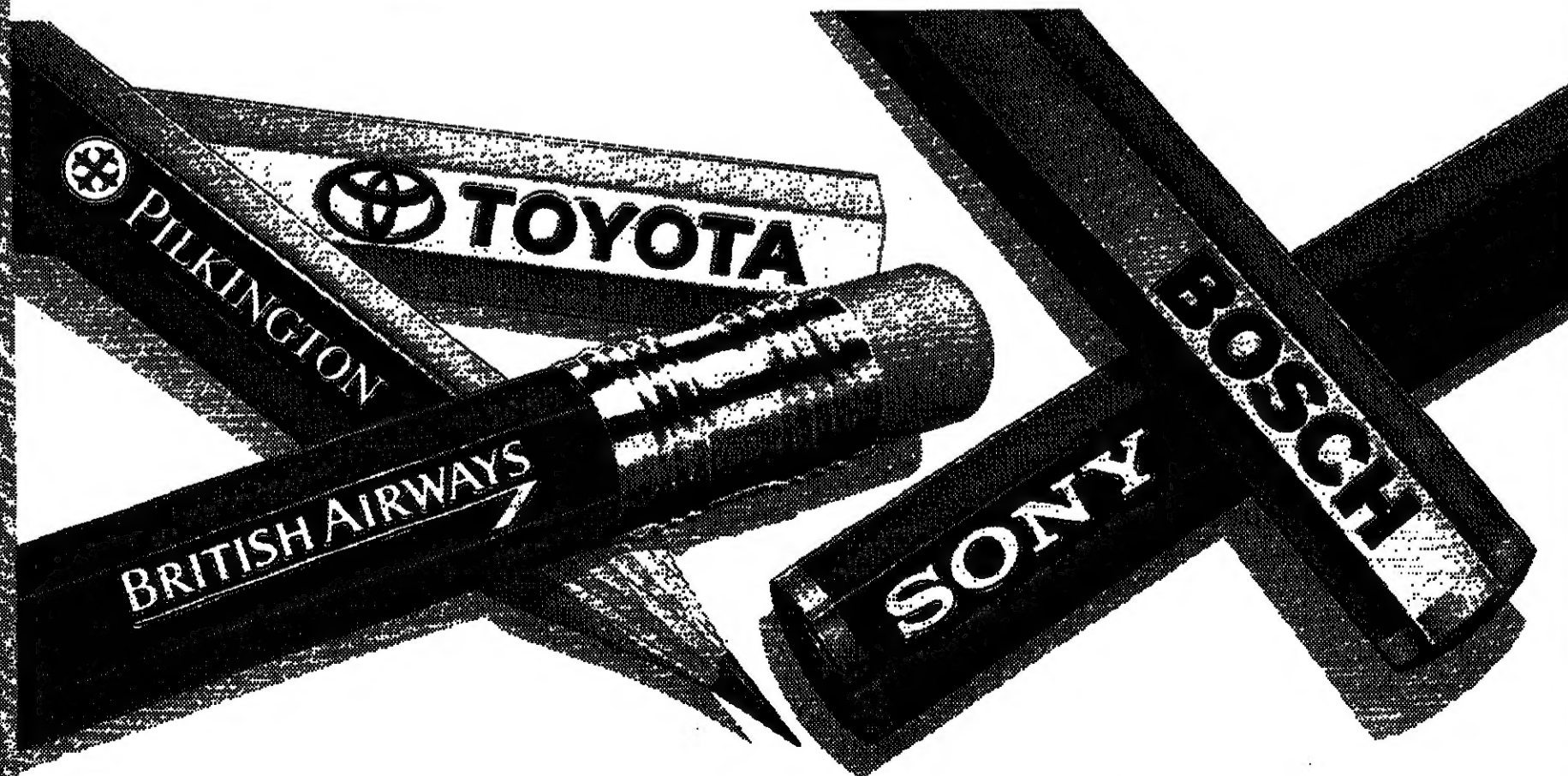
If it goes ahead, it is bound to cause controversy. Scots have one of the least healthy diets in Europe and one of

the highest premature death rates. A high consumption of fats and junk food have been blamed for Scotland's high incidence of heart disease and obesity.

McDonald's, which already has an outlet at Guy's Hospital in London, says that its burgers should be eaten as part of a balanced diet and that its food is nutritious. The restaurant would serve as a canteen for patients, staff and visitors.

A recent Scottish Office report into the nation's diet found that 20 per cent of men never eat green vegetables and a third of boys eat chips every day.

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MoD chiefs consider scrapping £264m project for spy aircraft



BY MICHAEL EVANS
DEFENCE CORRESPONDENT

ATTEMPTS by the Ministry of Defence to develop a remote-controlled surveillance aircraft might be abandoned, ten years and £264 million after the project began.

The Phoenix, a pilotless aircraft that should have been available to help British artillery units to hit Iraqi armour in the Gulf War but is still not in service, could be scrapped in favour of a foreign alternative because it too often sustains damage when it lands.

The uncertain future of the

Phoenix, which is already six years behind schedule, has been highlighted by a senior Ministry of Defence source who said that the project was being evaluated.

One of the difficulties is that when the Phoenix air vehicle comes back to ground it often lands too heavily and causes damage to the fuselage. The Phoenix floats down by parachute and is supposed to land gently on its back. A GEC-Marconi source confirmed there was a problem: "When it comes down it occasionally sustains more damage than we initially thought would happen."

The Ministry of Defence eval-

uation team is now examining three options: to scrap Phoenix and buy off the shelf; to press on; or "to get someone else to do it".

The senior MoD source said: "It's a major problem for the contractors but we have to protect the taxpayers."

The airborne surveillance system, which is supposed to send pictures of enemy positions to ground stations, has been developed by GEC-Marconi Avionics.

One defence official claimed that the Phoenix was turning into a "mini Nimrod". The Nimrod airborne early warning aircraft, also developed by GEC-

Marconi, was scrapped by the Government eight years ago after about £900 million had been spent.

The advanced radar on Nimrod did not meet RAF specifications. The Government bought the Awaacs early warning system from Boeing instead.

MPs on the Commons Defence Committee are shortly to begin their own investigation into Phoenix, with their first hearing in two weeks. The senior MoD source denied that Phoenix was "another Nimrod".

The source said in the case of Phoenix, the electronics and imaging were "fine". But there

were four technical problems, none of which involved "leading edge" technology. "However, they are vital and if they can't be put right easily, we may have to look elsewhere," the source said.

The reliability of the Phoenix system was examined by the National Audit Office last year. Its report said that steps should have been taken by the MoD long ago to renegotiate the contract or take other remedial measures.

The Phoenix can be flown either autonomously or by command from the operator who needs no piloting skills. Its primary task is to pick out

targets for the British Army's new multiple launch rocket system, which proved so effective in the Gulf War.

GEC-Marconi said the production of the Phoenix was already under way and several systems had been delivered to the Army, although they were not yet in service.

The figure of £264 million at 1993-94 prices is quoted in the National Audit Office report. However, GEC-Marconi said the money spent so far was considerably less than that. Other reports suggest that about £230 million has been spent, double the original budget.

Biological make-up may hold key to criminal behaviour

THERE is no such thing as a natural-born killer but genetic make-up may make a person more likely to commit criminal or anti-social acts, scientists said yesterday.

Evidence that genes play a part in social deviance is to be presented at a three-day meeting in London on genes and crime, attended by psychologists, geneticists and lawyers from Europe and the United States.

Studies of twins who have been involved in crimes ranging from juvenile delinquency to serious offences have shown that identical twins, who share the same genes, are more similar in their anti-social behaviour than fraternal twins. Studies of children who have been adopted show that

Genetics may help us to understand why some people are more likely to commit anti-social acts. Jeremy Laurance reports

their anti-social behaviour is more like that of their genetic parents than their adoptive parents.

The meeting, organised by the Ciba Foundation, a charitable trust established in 1949 to promote communication among scientists, follows the cancellation of a similar event in the United States after it provoked a political dispute. Scientists involved in the "criminal genes" debate have been accused of racism.

Professor Sir Michael Rutter, chairman of the con-

ference and head of the department of child psychiatry at the Institute of Psychiatry, said there was no single gene for crime and that the finding of a genetic influence did not mean that environmental factors were unimportant. "That is not how genes operate. Rather they affect how people behave and how they respond to stress. Whether or not this results in crime will depend to a large extent on circumstances."

Professor Rutter said there was "no one entity of crime" and illegal acts ranged from highly principled civil disobedience to widespread anti-social behaviour. The aim was to gain an understanding of how risk factors operated to help to prevent and remedy problems.

There were "huge individual differences" in the way children responded to family discord and disruption, he said. "We don't understand why. If we understood the mechanisms involved, we would be in a much better position to do something about it."

Dr Greg Carey, of the Institute of Behavioural Genetics at the University of Colorado, said there was no answer to the origins of crime. "We are not insects with strong and rigid genetic programming. We are flexible. Two people with the same genes will not turn out the same. There are very strong environmental factors. This conference will not be delivering a ringing endorsement of biological determinism."

Dr Carey said that criminal behaviour could be influenced by an interplay between genes that affected views of risk-taking, the perceived benefits of cheating and the fear associated with being caught. "We know very little about the mechanisms which may start with DNA but result in anti-social behaviour."

Convicted killer seeks brain test

BY OUR HEALTH SERVICES CORRESPONDENT

VIOLENCE, aggression and anti-social behaviour dominate the family tree of Stephen Mobley, 29, a convicted murderer awaiting the death sentence in an American jail.

His uncles, aunts and grandfather were all affected and Mobley had a history of violent and criminal behaviour from childhood before shooting dead a pizza manager in 1991. However, his family tree also contains several highly successful businessmen, including his father, a self-made multimillionaire in the shoe trade.

"There is a fine line between the aggressive success of the self-made businessman and the violent outrage of the criminal," Dr Deborah Denno, associate professor at the Fordham University School of Law, New York, will tell the Ciba Foundation conference today.

Lawyers acting for Mobley asked a court to allow him to undergo neurological tests to determine whether he was suffering from an imbalance

of brain chemicals that may have contributed to his behaviour. The court rejected the request on the ground that the influence of genes on criminal behaviour was not yet scientifically accepted. The case has gone to appeal.

The lawyers based their request on evidence from The Netherlands where a family with a history of aggression was shown to have a deficiency of a brain chemical, monoamine oxidase A, associated with a mutation in a gene.

Dr Denno said it was unlikely that the higher court would allow the appeal but she expected the principle of genetic influence to be admissible in court within five years.

"It is inconsistent to reject it when other medical factors about which we have limited knowledge are accepted," she said, and added: "A genetic abnormality could be compared to other sorts of biological, psychological or sociological factors which have been admitted as evidence in court."



Watercolour of a dog attributed to Charlotte Brontë. The author left more than 100 drawings and had a serious ambition to be an artist

Revealed: portrait of the Brontës as young artists

BY DALYA ALBERGE, ARTS CORRESPONDENT

THE Brontë sisters are about to be seen in a new light as a collection of their paintings and drawings goes on show for the first time.

Jane Sellars, director of the Brontë Society, said that the importance of art in the lives of the sisters — Charlotte, Emily and Anne — and their brother Branwell had not been appreciated.

She said: "The imaginations which produced *Jane Eyre* and *Wuthering Heights* also produced exquisitely delicate and romantic portraits of fictional heroes and heroines, detailed sketches of each other and of their pets, careful flower studies, and designs for minutely worked embroideries."

Few have been aware of the sisters' talents as painters and illustrators, although they left more than 360 images between them. Part of the reason for this is that most of their work is owned by the Brontë Parsonage Museum in Haworth, North York-

shire, where the Brontës lived, and has been shown only occasionally.

Two exhibitions, at Haworth and Sotheby's in London, and a book co-written by Ms Sellars and Christine Alexander, associate professor at the University of New South Wales, will show that the works are more than the relics of famous writers.

Ms Sellars said: "Most would know that Branwell attempted a career as portrait

painter in Bradford, but we have discovered that Charlotte, who left well over 100 drawings, had a serious ambition to be an artist."

The authors' research took them back to an 1834 exhibition, which Charlotte is known to have visited: they found a sole surviving copy of the catalogue in Leeds reference library, and discovered that Charlotte, at the age of 18, was among the exhibitors. She showed two drawings of Kirkstall Abbey in Leeds and Bolton Abbey in North Yorkshire: both are on show at Haworth.

Her research reattributed a watercolour of a dog from Charlotte to Emily. Ms Summers said: "That increases Emily's oeuvre by a lot because there is hardly anything by her." The exhibition runs at Sotheby's from tomorrow to March 1, at Haworth, until February 1996. The book will be published by Cambridge University Press on February 23.



Grasper, the family pet terrier, by Emily Brontë



A French brunette portrayed by Charlotte Brontë

Heart disease linked to small babies

BY OUR HEALTH SERVICES CORRESPONDENT

HEART disease, high blood pressure and diabetes may be linked to the supply of nutrient to the brain of a fetus, a leading scientist claimed yesterday.

Professor David Barker, head of the Environmental Health Unit at Southampton University, said that 17 studies around the world had confirmed the link between low birth-weight (indicating under-nutrition in the womb) and high blood pressure.

Because of its size the human brain demands a high level of nutrients as it develops in the womb and that may leave other vital systems in the fetus under-nourished. The result is a baby prone to heart disease, high blood pressure and diabetes in adult life. "Different parts of the fetus undergo very rapid cell division at different times during pregnancy,"

Professor Barker said. "These are the so-called critical windows of development when those tissues are vulnerable to under-nutrition. If the fetus is under-nourished at that time those parts suffer permanent damage."

The critical window for muscle development was a short period around the thirtieth week of gestation, for the pancreas a longer period from mid-gestation into infancy and for the kidneys a few weeks before birth. During periods of under-nutrition the fetus attempts to protect the supply of nutrients to the brain, which makes the greatest demand. "Heart disease seems to be linked to the sacrifice of tissues in mid-fetal life to save the brain," he said.

A study of 16,000 adults born before 1930 in Hertfordshire showed that those

who weighed under 6lb at birth had almost twice the risk of dying of heart disease before 65 compared with those who weighed 9lb. Other evidence suggests that small, round, fat babies have a lower risk of heart disease than long, thin ones. Studies have shown that babies born with small abdomens have a 30 per cent higher risk of dying of heart disease in adult life.

The development of the abdomen coincides with that of the blood cholesterol and coagulation systems which, when affected, raises the risk. Thin babies born with little muscle are similarly at greater risk of developing diabetes in later life.

In India and the Far East, where birth weights are low by Western standards, there is little heart disease because fetal growth rates are low from the outset.

Gene therapy patients saved from 'test-tube existence'

BY NIGEL HAWKES, SCIENCE EDITOR

PATIENTS treated by gene therapy are no longer to be classified as genetically modified organisms, subject to special controls before being "released" into the environment. They had come under the same health and safety rules as plants and bacteria whose genes had been altered.

Volunteers taking part in the cystic fibrosis trial at the Royal Marsden Hospital in London, for example, ought to have been reviewed to ensure they were safe to release. A spokesman for the Health and

Safety Executive said: "If we had stuck to the letter of the law, we would have considered these people to a test-tube existence."

The executive published proposals yesterday to exclude humans and human embryos from the category. "This is an example of how technological advances have outstripped the existing regulations," it says.

The executive has also proposed a simplified system for classifying micro-organisms, such as bacteria, modified by genetic engineering. The sys-

tem is designed to protect the public against the release of organisms that might cause damage or pass modified genes to other species.

The new system classifies the organisms according to their potential harmfulness and will bring British regulations into line with a European Union directive due to come into force at the end of April. The proposals are now open to responses from interested parties.

Body and Mind, page 14

Children of alcoholics suffer pain in silence

BY A STAFF REPORTER

MORE than 500,000 children live with a parent who has a drink problem, a conference on alcohol abuse was told yesterday.

Many suffer years of physical, emotional and sexual abuse, but are afraid to talk about it. Sue Cork of Childline said. Most would call the charity's confidential helpline only if their lives were threatened.

Speaking at a conference on Alcohol and the Family in London, Ms Cork said that it was not just fear of reprisals from their parents that prevented children from speaking out. "They are afraid they will be placed in care or that their parents will get sick and die," she said.

According to the Institute of Alcohol Studies, two million adults have alcohol problems, but only 5,490 children (4,316 girls and 1,174 boys) called Childline about alcohol abuse. Some believe the law overlooks abused children. Jonathan Goodlife, a solicitor who specialises in family law, said: "When dealing with violence in the home caused by alcohol problems, judges tend to treat the violence as the problem, not the real cause."

Dr Richard Velleman, a psychiatrist, said young people from problem drinking homes were more likely to start drinking and using drugs at an early age.

Day Two... An impossible situation... with apparently no solution

St Agnes Stand

THOMAS HEDSON

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Downpour overwhelms decrepit sewer system

By IAN MURRAY
COMMUNITY CORRESPONDENT

BRITAIN'S ageing sewerage system is breaking down under the pressures of one of the wettest winters on record. Rainfall has been well above average since last August and sewerage pipes and treatment plants cannot cope.

One-third of the 25,000 combined sewer and stormwater overflows in England and Wales "present some kind of problem", according to the National Rivers Authority (NRA). These overflows can legally be used by water companies to drain a mix of raw sewage and rainwater into rivers or flood plains when the flow through plants is too great to be treated.

"Poor sewerage infrastructure and inadequate capacity exist throughout England and Wales," the authority said in its latest report on water pollution, issued last September, before the onset of the winter's heaviest rains. Since then, the aquifers have filled up, which means rain cannot easily soak away and has to flow through the sewerage system.

The problem has been exacerbated by the construction of housing on green-belt land. Instead of soaking into the ground, rainwater is caught on roofs and roadways and channelled into the drainage system where it mixes with household waste.

"A lot of sewage treatment works designed years ago for smaller populations cannot cope with the extra stormwater, so they let it flood out mixed with the raw sewage," according to Guy Linley-Adams, of Friends of the Earth.

"This sort of thing happens regularly all over the country."

The NRA was not able to monitor the practice, he said.

"Combined sewer overflows (CSOs) cause serious pollution whenever it rains heavily. It would be all too easy for the water companies to exploit the largely unmonitored CSOs and divert more untreated sewage down them, avoiding the expense of having to treat it at sewage works."

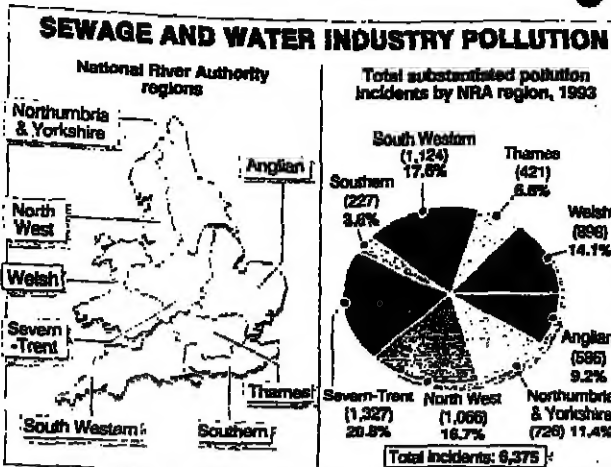
Friends of the Earth is to begin a study of CSOs, to ascertain the scale of the problem.

In 1993 there were 25,299 reported incidents of water pollution, of which 331 were classified as serious. The NRA blames a quarter of these on sewage. "There is no centralised system of monitoring because each company uses a slightly different method. We are revising the system so that we can apply the same kind of standards everywhere," the authority spokesman said.

The plus side of heavy rainfall is that the sewage is already extremely diluted by the time it overflows into a swollen river.

The Sports Council has commissioned a study of the River Trent after complaints that canoeists using the National Water Sports Centre near Nottingham are contracting sewage-borne diseases.

Brian Pluckrose, a manager at the centre, said pollution was washed down the Trent from industrial towns. "We have been closing down when we can tell visually that it is likely to be dangerous," he said. "It is always worse when it floods. We wouldn't mind if they forewarned us when this stuff is going to be drained into the river, but they haven't got any monitoring system."



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To the chagrin of farmers and golf course greenkeepers, and the delight of ecologists, rabbits are reoccupying the British countryside after surviving 40 years of the ravages of myxomatosis (Michael Hornsby writes). Estimates put the population at about a third of the pre-

Rabbits bounce back

1950 figure, which was between 60 and 90 million. Farmers have regarded the rabbit as a particularly tenacious pest since early in the last century. Badly infested farms can have up to 40

rabbits per hectare and every year they are estimated to eat crops worth £100 million. Gordon McKillop, a zoologist at the Government's Central Science Laboratory, said: "The survivors have developed a degree of immunity to myxomatosis, which is passed on from one generation to the next."

However Diana Bell, a biologist at the University of East Anglia, said that myxomatosis was still virulent. "It is quite wrong to say rabbits have become immune."

SHEEHAN on BRIDGE

Dealer South		Game all. Teams	
♠ 10 8 7 3	♥ 10 8 5	♦ 10 8 5	♣ 10 8 5
♠ 7 3	♥ 7 3	♦ 7 3	♣ 7 3
♠ K 8 7	♥ K 8 7	♦ K 8 7	♣ K 8 7
♠ A K J 6	♥ A K J 6	♦ A K J 6	♣ A K J 6
♠ J 7 2	♥ J 7 2	♦ J 7 2	♣ J 7 2
♠ A J 4	♥ A J 4	♦ A J 4	♣ A J 4
♠ A Q 4	♥ A Q 4	♦ A Q 4	♣ A Q 4
W	N	E	S
Pass	3♠ (1)	Pass	2NT
Pass	5♠ (2)	Pass	3♠
All pass			6♠

Contract: 6♠ Spades by South. Opening lead: three of spades

By ROBERT SHEEHAN

A card game correspondent

(1) Stayman, asking for four-card majors.

(2) Asking his partner to bid the slam with good trumps.

In one room declarer won the trump lead, drew a second trump and then played off his diamonds. West ruffed the third round and played a third round of trumps. Declarer discarded one heart and one club on the diamonds, but eventually had to take a club finesse. Down one.

In the other room declarer played better. He won the ace of spades, played a heart to dummy's ace, a diamond to his jack, ruffed a heart, played a diamond to his ace, ruffed another heart and then played

a trump. Had trump been 3-2 he would have made all 13 tricks, but East showed out all he could do was draw another trump and play a diamond. West ruffed and played another heart. Declarer ruffed but had to lead away from his club tenace. Down one.

The second declarer had the right idea but he put all his faith on trumps breaking. What he should have done was to duck the queen of spades at trick one. If East continues with a trump, he will still make 12 tricks (five diamonds, five trump tricks and two aces); if East switches, declarer can still take his two heart ruffs but the difference is that he has kept control by losing the first round of trumps rather than the last round.

KEENE on CHESS

By RAYMOND KEENE
CHESS CORRESPONDENT

Kamsky ahead

In the Fide semi-finals at Sangli Nagar, India, Gata Kamsky has surged ahead in his match against Valery Salov. The match between Karpov and Gelfand remains level with one win each. The following two games from the matches exhibited remarkable stylistic similarities.

White: Gata Kamsky

Black: Valery Salov

Queen's Gambit Accepted

1 d4 d5

2 c4 cxd4

3 e4 Nc6

4 Bc3 Nf6

5 Nc3 e5

6 d5 Na5

7 Nf3 a6

8 Nxe5 b6

9 Be2 Bb4

10 Qd4 O-O

11 Qx4 Bb7

12 Ng4 Ng4

13 Bg4 Qe7

14 Rad1 Rxd8

15 Bf1 Rf8

16 Qc3 Qc6

17 Bxd6 Qxd6

18 Rf1 Qe7

19 Rf1 Qe7

20 Qd3 Kf7

21 Nc2 h6

22 Bb5 Qe5

23 Nf4 Kf8

24 Bg6 Kg8

25 Qg6 Qg7

26 Qf6 Rf5

27 Qf4 Qe7

28 Qg4 Qg4

29 Ne6 Rf5

30 Qf4 Rf8

31 Qe3 Rf4

32 Rd1 Rf4

33 Rd7 Rf4

34 Rf1 Rf4

35 Rf1 Rf4

36 Rf1 Rf4

37 Rf1 Rf4

38 Rf1 Rf4

39 Rf1 Rf4

40 Rf1 Rf4

41 Rf1 Rf4

42 Rf1 Rf4

43 Rf1 Rf4

44 Rf1 Rf4

45 Rf1 Rf4

44 Rf7 Bf5

45 Rf4 Rf8

46 Rf7 Rf8

47 e4 Bc3

48 Rf4 Nf6

49 Rf4 Kf7

50 Rf4 Kf7

51 Rf4 Bg6

52 Rf4 Bf5

53 g6 Rf8

54 Rf7 Black resigns

White: Boris Gelfand

Black: Anatoly Karpov

Caro-Kann Defence

1 e4 c6

2 d4 d5

3 e5 Bf5

4 Nf3 e6

5 Be2 cxd4

6 Bc3 Nc6

7 Nc3 Nf6

8 Qd2 Qe7

9 Qc3 Qe7

10 Nc3 Qe7

11 Qd2 Qe7

12 Nc3 Qe7

13 Qd2 Qe7

14 Nc3 Qe7

15 Qd2 Qe7

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114 Nc3 Qe7

115 Qd2 Qe7

116 Nc3 Qe7

117 Qd2 Qe7

118 Nc3 Qe7

119 Qd2 Qe7

120 Nc3 Qe7

Squabbling Tories 'are jeopardising peace and stability'

By ALICE THOMSON, POLITICAL REPORTER

PADDY ASHDOWN criticised the Tory party's internal wrangling over Europe yesterday saying that it was mindlessly destroying the "biggest political idea this century".

Opening a Liberal Democrat debate in the Commons calling for a referendum on any further changes to Britain's relationship with the European Union, Mr Ashdown said: "The battleground of Europe has been ceded to a tiny minority of the Tory Right." The Liberal Democrat leader said that the idea of a European Union was the biggest political idea this century and the most important safeguard for prosperity, peace and stability in the next.

He said: "Europe is far too important an issue to be left to an internal spat in the Conservative Party, the minor mathematics of the Conservative whips and a weak leadership."

But his hope of defeating the Government was dashed by Labour's refusal to support the Liberal Democrats because it does not want to be "bounced" into a decision on a referendum.

With Labour imposing only a one-line whip on its MPs, the Government was heading for an easy victory, with or without the support of the nine whipless Euro-rebels.

Mr Ashdown said that Parliament had no right to give away sovereignty without asking the people. "The powers that we have are not ours as of right to give away as we wish. They are vested in us through the democratic process by the people of this country and those powers should only be redistributed with the consent of the people from whom they come."

"The debate about Europe has been a politicians' debate which has excluded the people who Europe is supposed to serve. Maastricht was a politicians' treaty, drawn up in the gilded palaces of Europe, couched in language which most people couldn't understand and many cabinet ministers didn't even bother to read, and which passed through this House in a charade of indecipherable late-night procedures and fun-

ny hats. Next time, we have to engage our electorates in the debate and carry them with us."

David Davis, minister of state at the Foreign Office, agreed that EU membership was in Britain's national interest but ridiculed the Liberal Democrats' motion. "It is a paradox that we are debating these vital issues on such an irrelevant motion but characteristic of the Liberal Party," he said.

"The motion calls for a referendum before any substantial alteration of the present constitutional settlement between the EU and its member states. But such a substantial change would require the assent of every single member state and it won't get it. Therefore the question of a referendum will not arise."

Joyce Quin, a Labour spokeswoman on Europe, said: "Our position is quite clear. We believe that people should be consulted. Whether that will be with a referendum or an election very much depends on the timing and circumstances."

Tony Benn, the hard-left Labour MP for Chesterfield, said that he was deeply disappointed that the Labour Party had decided to abstain on the motion. "I am not working hard for a Labour government so that the leader of the Labour Party, instead of being First Lord of the Treasury, will be the chairman of the British municipal corporation, pleading with Frankfurt in order to get permission to do something about unemployment."

Bill Cash, the first Tory Euro-sceptic to speak, said that he would support the Liberal Democrat motion. He said the Tories had supported the principle of referendums in the past. In 1972 there had been the Northern Ireland border poll and the Tories had campaigned over votes on Europe in 1975 and devolution in 1978. He insisted that a referendum was now the only way to discover "what the people outside really think".

Leading article, page 17

Tories 'may defect to fringe parties'

By NICHOLAS WOOD, CHIEF POLITICAL CORRESPONDENT

A WARNING that disgruntled Tories could defect to fringe parties promising a tough stance towards Brussels was issued last night by the former Trade Minister Neil Hamilton.

Mr Hamilton coupled his warning with a plea for the Government to commit itself to a referendum on any moves towards a single currency. A failure to do so would risk a repetition of the election defeat of 1974 when disaffected Conservatives switched to Labour because of Harold Wilson's promise of renegotiation of the terms of entry and a plebiscite on the outcome.

The former minister, who was forced to resign his post

late last year at the height of the controversy over MPs' business links, told a meeting of the Bruges Group in London that minor parties, such as the UK Independence Party and Sir James Goldsmith's Referendum Party, could pose a threat to Tory MPs at the election.

"Independent candidates could provide a repository for the votes of the disgruntled. A few hundred votes in a few dozen constituencies may make the difference between being in government and out of it."

Chris Gill, one of the nine whipless Tory rebels, told the meeting that a single currency would hasten the break-up of the United Kingdom.



Mr Brown, who described the executive share options as "daylight robbery"

Brown rails at £100m tally of share-option profits

By JILL SHERMAN, POLITICAL CORRESPONDENT

SHARE option profits gained by the top executives of privatised utilities have passed a total of £100 million, Gordon Brown, the Shadow Chancellor, said last night.

Speaking at a rally in Islay, where the former Labour leader Neil Kinnock's seat will be filled in a by-election on Thursday, Mr Brown said that the water industry's £16 million profits had pushed the total to £101 million, which was shared by only 145 directors and executives. In the case of the water industry this was on top of a 400 per cent rise in

salaries since privatisation, he said.

Today Sir Desmond Pichey, chairman of Northwest Water, will face a grilling from the all-party Commons Select Committee on Employment over the £4.9 million of options shared by the directors of his company.

Mr Brown said Labour's polling had shown great public anger about the share options. "Privatised industry remuneration packages are a new form of daylight robbery, a raid on millions of consumers paying more because of them. A central test of this unfair Govern-

ment is its failure to act against the abuses we have exposed in the privatised water, gas, electricity and telecom industries."

The £101 million in share-option profits includes £50 million for regional electricity companies, £28 million from other electricity companies, £6 million shared between British Telecom, Cable and Wireless and British Gas, and £16 million for the water industry.

General election, 1992: N G Kinnock (Lab), 30,908; P W Bone (C), 6,186; M Symonds (LD), 2,332; H Jones (PC), 1,636. Lab majority: 24,728.

Too many junior ministers chasing too little work

Two junior ministers have resigned in the past week. The only surprise is that more have not done so, not because they are forced out or disagree over policy but because the job is unsatisfactory.

Being an under-secretary is frustrating and underpaid, with little influence and often not enough to do. Many are also discontented because of the Government's divisions and lack of direction, and worried about the risk of losing both office and even their seats in two years with little to show for it. But their complaints are much more than just a response to the Tories' current political predicament.

There are too many junior ministers for the work to be done. In a letter to the Prime Minister last month, Charles Wardle wrote that the department of trade and industry has "two ministerial posts too many on its strength and could also do with more pruning at official level". Few even in the Treasury understand why they require three junior ministers as well as two Cabinet ministers. Health has four ministers in the Commons and social security five, when the previous combined department had just five. Mr Wardle's views are widely shared, not just by ministers but also by many permanent secretaries, especially now they are having to implement big cuts in the number of senior Civil Service posts.

At present, there are 86 ministers and whips in the Commons, nearly three times as many as a century ago. The size and scope of Government has, of course, increased substantially. But decision-making is concentrated in about three dozen members of the Cabinet and senior ministers of state, who face a heavy workload. The role of the rest is often marginal. Many junior ministers do the work of civil servants in other countries, as happens when they negotiate at meetings of European councils. There is often wasteful duplication as ministers read out civil service briefs. Ministers are also needed to take legislation through the Commons, but that is only occasionally demanding. Otherwise, some ju-

nior ministers can have time on their hands for hobbies or keeping fit. Departments have been known to invent regional trips to keep their junior ministers busy.

The justification for having so many junior ministers is classically British. It is argued that outsiders, lobbying and pressure groups, expect to meet a minister rather than an official. Civil servants take a double-edged view. They privately deplore the number of ministers, yet, at the same time, are happy for some hapless parliamentary under-secretary to undertake the tedious chore of seeing trade associations. Officials are content to hide behind their anonymity.

Chief whips also like to have so many posts available as patronage. With 30 to 40 more parliamentary private secretaries in addition, this provides a useful payroll vote to anchor the Government's majority. However, business managers complain that there is a shortage of suitable junior ministers in view of the lack of rewards and frustrations. There is always someone who will take the place of a minister who has resigned. But the quality is mixed. Some MPs with growing families are unwilling to give up lucrative outside consultancies for the uncertainties of a junior post at this stage of the parliament. Moreover, the whips have found that some parliamentary private secretaries have been more trouble than they are worth. When they run into personal trouble and are forced to resign, as some have, there are headlines about "Top Tory quits" when the MP has never been heard of before.

The only reason some other junior ministers have not followed Mr Wardle is that they still rate their chances of promotion, they are loyal to the Government and they worry about what their friends and relations would say. The glow of being an under-secretary soon fades. Even the official car and the deference of officials and the public are thin compensations.

PETER RIDDELL

Shadow minister defends the Union

By GILLIAN BOWDITCH, SCOTLAND CORRESPONDENT

LABOUR'S Scottish affairs spokesman made an impassioned defence of the Union during a public debate with the Scottish National Party.

George Robertson said that he would turn down a cabinet post in a Labour government in favour of sitting in a devolved Scottish parliament. But if he thought that devolution would lead to independence he would have nothing to do with it.

Devolution would avoid "ripping Scotland" out of a country the Scots had helped to build, he said. "Do we really want to make foreigners of our family and friends down south? Do we really want a separate Scottish currency, changing money for a week-end in Blackpool or to shop at the Gateshead MetroCentre?"

Mr Robertson was debating the relative merits of devolution and independence with Alex Salmond, leader of the SNP, in Edinburgh. Mr Salmond said that Labour was as unionist as the Tories.

Blair aims to double ranks of Labour women MPs

By JILL SHERMAN

TONY BLAIR underlined his determination yesterday to see more Labour women in the House of Commons.

The Labour leader said he hoped that by the next general election there would be at least 76 women MPs in the Labour party, double the present number. But the party's policy of all-women shortlists in 50 per cent of marginal and vacant seats is meeting strong opposition in some areas.

So far only 26 out of 90 marginal seats have drawn up all-women shortlists. Labour Party sources insist that this is equal to a 40 per cent success rate in regions that have already held their "consensus" meetings to decide which seats should go to women. However, only five out of the seven English regions have got to this stage, leaving the North West, Scotland and Wales still to make a decision. Party activists in these areas are complaining that the party is being invaded by well-groomed middle-class women who have little in common with the traditional Labour Party. In some regions, con-

sistencies are keen to select highly regarded male candidates who have fought the seat before. In others, men and women are against quotas.

Last year Mr Blair made clear that the policy should be introduced "flexibly and sensibly". But Labour's national executive still has the power to insist that constituencies produce all-women shortlists if they feel that the policy is deliberately being ignored.

At a conference in London yesterday, Mr Blair said: "We can hardly call ourselves a proud representative democracy when less than 10 per cent of MPs are women." Although he did not comment on the controversy over shortlists, he set out to court the women's

vote by insisting that sex equality would be enshrined in the new Clause Four. "The struggle for women is an essential part of my vision of the values and ideals of the new Labour Party."

He said that women should not be sidelined as a special interest group, and emphasised the importance of childcare and nursery education for all parents. "Giving women the power and ability to work is an economic imperative. Fashioning structures in which this can be compatible with a strong and stable family life is a social imperative," he said. "Both require changes of policy in government and in attitude on the part of men."

IN PARLIAMENT

YESTERDAY: In the Commons, MPs put questions to Welsh ministers divided Britain - the problems of Lancashire. The Liberal Democrats then led a debate on "Europe and a referendum". The Lords debated the Pensioners Bill, the South Africa Bill and the Law Reform (Succession) Bill.

TODAY: In the Commons, questions to health ministers and the Prime Minister will be followed by a debate initiated by Labour on "a debate on the problems of poverty and long-term unemployment", opened by the Shadow Social Security Secretary, Donald Dewar.

In the Lords, a debate on the Criminal Justice (Scotland) Bill will be followed by a debate on the call for restoration of democracy in Nigeria.



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Balladur campaigns with monetary union pledge

FROM CHARLES BRENNER IN PARIS

EDOUARD BALLADUR, the Gaullist Prime Minister, opened his campaign for the presidency yesterday with promises to restore national confidence and to reinforce French leadership in Europe and the world.

Standing stiff and alone, before a theatrical, peach-washed backdrop, the technocrat-politician delivered an exhaustive catalogue of modest proposals that he contrasted with the "empty promises" made by François Mitterrand when he ran for the presidency 14 years ago. The era of division between Left and Right was over, M. Balladur said. He added: "I want to rally the biggest possible number of French in a spirit of tolerance."

Half a dozen loyalists from the politically divided Cabinet watched as M. Balladur, 65, launched himself into the campaign fray at a moment when his long domination of the race has been eroded by the emergence of a Socialist rival, a looming scandal and his surrender last week in a new rash of student protests.

Jacques Chirac, the Gaullist chief who is fighting as the underdog against his own former protégé, and Lionel Jospin, the Socialist candidate,

have seized on the latest incidents to castigate M. Balladur for vacillation and a lack of imagination.

On Europe, M. Balladur amplified his previous promises to work for monetary union by 1997 and said he would ensure that the Franco-German tandem would remain at the heart of France's policy. Under his presidency France would work to streamline the European institutions, making sure that a larger Union would not enable smaller states to gang up on bigger countries. The entry of East European states, but not of Russia or Ukraine, was

inadvisable, he said. France would ensure that their entry would not dilute the present common programmes and social protection.

His presidency would encourage the creation of different "circles of co-operation" involving states that wanted to join in closer union in monetary, defence and other domains. France would also fight to ensure that its language and culture thrived in Europe.

Intoning his manifesto for an hour in a Paris hotel, M. Balladur said that his goal was to build on the record of his 22 months as Prime Minister

to restore hope to a society that had begun to doubt itself after two decades of crisis. France's chronically high unemployment, now at 12.6 per cent, was the root of the crisis and would be his top priority as President.

Like his mainstream rivals, he offered no big tax cuts or radical medicine for creating jobs, but rather a series of measures to cut deficits, curb France's stilling employment taxes and offer guaranteed training schemes for the young. M. Chirac is due to offer his own manifesto this week, nine weeks before the first round of the two-stage election.

M. Balladur also promised reforms to increase individual liberties and to "reconcile the state and the citizen". He would hold a referendum on the matter within six months of his election. He would also propose that France's seven-year presidential term should be made non-renewable, meaning that he could not stand for re-election in 2002. He would ensure that "the French model of social protection" would be reinforced. He promised to fight to ensure that an enlarged European Union enjoyed similar social guarantees and would not

become a simple free-trade zone.

M. Balladur placed great emphasis on the need to achieve reform through dialogue, which, he said, was "the only modern method". The Prime Minister's passionate belief in consensus, dubbed the "Balladur method", is the main target of the offensive against him by his rivals in the campaign. M. Chirac, 62, has attacked him for "immobilism" and "conservatism" after he scrapped a plan to restrict the access of technical college students to universities. Jacques Toubon, the Culture Minister and a Chirac loyalist, said that the move was an example of M. Balladur's approach of "one step forwards, one step backwards".

M. Jospin who is challenging M. Chirac for second place, said: "This Government does not understand young people. He did the right thing to suspend [the regulation], but he was wrong to propose it in the first place."

Reacting to M. Balladur's manifesto, the Socialist Party charged him with a "lack of political will to get to grips with the real problems that are afflicting society".



Edouard Balladur in Paris where he presented his manifesto for the presidential campaign yesterday. He promised to reinforce French leadership in Europe

Leading article, page 17



Jacques Chirac, left, who is due to launch his manifesto this week, and Lionel Jospin, fighting for second place

González stops Britons voting in local polls

FROM EDWARD OWEN IN MADRID

THOUSANDS of European Union citizens living in Spain, most of them Britons, are being denied the right to vote in forthcoming municipal elections because the troubled minority Socialist Government, which proposed the European Union legislation, expects them to cast their ballots for the conservative opposition.

The elections will be held on May 28 and the Spanish Cabinet has until February 28 to approve a royal decree. That would ratify a directive giving the vote to EU citizens in the municipalities where they live, pay local taxes and are on the electoral roll.

However, Felipe González, the Spanish Prime Minister, who proposed the directive and who has until next January 1 to adopt the law, has decided to postpone approval of the decree. His popularity is at a record low.

Last Friday, his Cabinet gave approval for citizens of Norway, Sweden, Denmark and The Netherlands to vote in Spain because of bilateral agreements.

"The Spanish Government had a golden opportunity to set an example to the rest of Europe, but realised that the foreigners were not going to vote for them," Ricardo Sánchez Bocanegra, president of

the Federation of Foreigners' Associations, based in Marbella, said yesterday.

"Many foreign residents will feel sad and deceived," he added. "They pay local taxes and suffer the same problems as Spaniards, and were looking forward to voting for the first time. González, who was once the champion of Europe, has violated the Treaty of Maastricht."

The decree giving the vote in municipal elections has been ready for Cabinet approval since December, said Emilio Calvo Blanco, an official at the electoral census office in Madrid. "If it is approved after February 28, the foreigners will not be able to register in time for May 28."

Half the estimated 300,000 foreign residents in Spain are British, but only 10,702 registered for last year's European elections. The conservative Popular Party has protested at the deliberate delay in approving the decree.

"The foreign vote could have been vital in marginal town halls," said John Seth Smith, honorary British Vice-Consul in Benidorm. "Local elections in places like Javea and Mijas had attracted much more interest than those for distant Strasbourg."

□ **Pact offered:** Señor González offered José María Aznar, the leader of the Popular Party, a pact before last week's parliamentary showdown, but the proposal was spurned, an opposition spokesman said last night.

In secret talks on January 30, Señor González had offered to bring general elections forward by 12 months to next year in exchange for a softening of opposition attacks on the Socialist Government. He fought off an attempt to bring down his administration in Parliament last week and was widely judged to have got the better of his rival in the two-day debate on the state of the nation. (Reuters)



González: royal decree delayed by Cabinet

Fini to meet Tories on London visit

FROM REUTERS IN ROME

GIANFRANCO FINI, the Italian right-wing leader, said yesterday that he hoped a trip to Britain and France this week would convince Europeans that his political group had cut its links with Fascism.

Signor Fini, whose neo-Fascist Italian Social Movement (MSI) was dissolved and succeeded by the National Alliance last month, dismissed a demonstration planned to protest against his visit to London as the work of extreme leftwingers. He will take part in a seminar organised by the Royal Institute of International Affairs, meet Conservative Party MPs in the House of Commons and have talks with financial and business leaders in the City.

Signor Fini created the National Alliance in the run up to last March's general election. It was part of the Freedom Alliance coalition led by Silvio Berlusconi, the former Prime Minister, who was later forced to resign by his coalition

partners after he was put under investigation for alleged corruption.

Asked about reports that some local branches of the National Alliance still displayed busts or photographs of Benito Mussolini, Signor Fini said: "I don't think the problem is in how many branches a photograph of Mussolini remains. My job is to see to it that in every branch of the National Alliance there are no more yearnings [for the past], either implicit or explicit."

The MSI was founded in 1946 by officials from the rump Fascist Republic of Salò that Mussolini led as a Nazi German puppet regime in northern Italy.

Signor Fini, whose popularity is growing, predicted that the National Alliance would win up to 22 per cent of votes in elections later this year. He said Signor Berlusconi was still the group's candidate for Prime Minister.

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Rival commanders in Chechnia agree partial ceasefire

FROM ANATOL LIEVEN IN MOSCOW

RUSSIAN and Chechen military commanders yesterday agreed a ceasefire in Chechnia, the Russian Defence Ministry announced. It added that, although the ceasefire so far applied only to heavy weapons, "the first steps have been taken towards achieving mutual understanding".

Talks are to continue tomorrow, but Russia reportedly has already ordered its troops to stop using their artillery. Arrangements are to be made during the ceasefire for the collection and exchange of the bodies of the many fighters killed on both sides.

It is widely predicted that President Yeltsin, who is to deliver a key speech to the Russian parliament on Thursday, will take the opportunity to announce a new approach to the Chechen conflict as a result of his troops being able

finally to claim a victory in Grozny. One victim of such a new policy would probably be General Pavel Grachev, the Defence Minister, who is widely held responsible for the Russian Army's failures and the high number of casualties it has suffered. Matvei Burlakov, a Deputy Defence Minister, and General Grachev's close ally, has just been formally sacked by Mr Yeltsin after being suspended for two months over accusations of corruption and conspiracy to murder a journalist.

The two other latest casualties of the Chechen operation among the Russian high command, however, come from the opposition to the military intervention. It was announced yesterday that General Boris Gromov, another Deputy Defence Minister, had been demoted to the much less

significant position of military adviser to the Foreign Ministry. Another senior officer, General Eduard Vorobyov, has been dismissed the service.

General Gromov has bitterly compared the war in Chechnia to that in Afghanistan, where he commanded the Russian withdrawal. He and other senior officers have pointed out that, in the entire 12 years of the Afghan war, the Soviet Army suffered fewer than 14,000 dead. According to official figures, in two months in Chechnia the army alone, not counting Interior Ministry troops, has lost 1,020 men killed. Russian soldiers on the ground say the real figure is much higher.

According to Tass, yesterday's ceasefire was agreed by General Anatoli Kulikov, the Russian commander in Chechnia, and General Aslan Maskhadov, the Chechen chief of staff, at a meeting in the Ingush village of Ordzhonikidzevskaya, near the Chechen border.

The Interfax news agency, however, quoted a "senior Russian officer" as saying that Russian troops, having captured Grozny, would remain in Chechnia until they had occupied the towns of Gudermes, with a population of 30,000, Shali and Argun, the three main centres remaining in the hands of the Chechen administration of General Dzhokhar Dudayev. Shali lies southeast of Grozny and currently houses the Chechen military command.



Gromov: demoted to the Foreign Ministry



Field Marshal Sir Peter Inge, left, General John Shalikashvili and the Duke of Kent watch wreaths being laid at a Dresden cemetery yesterday

Uniforms stir unease in pacifist Dresden

FROM ROGER BOYES IN DRESDEN

It has been a long time since Dresden last saw a British military uniform. No eggs were thrown yesterday at Field Marshal Sir Peter Inge, but he was not exactly encouraged to make a walkabout in the streets of the Saxon city that still bears the scars of the Anglo-American bombing and five decades of socialist planning.

"We do not like uniforms of any kind," said Elke Hohlfeld, 55 years old, who was cowering in a cellar as the bombers thundered overhead. Her brother helped to load the blackened corpses on to carts and push them to the city cemetery where, yesterday, the field marshal laid a wreath. While the Duke of Kent slipped out of the Taschenberg Palace and around the city virtually unnoticed, Sir Peter, his medals jangling, was a rather more obvious and, for this most pacifist of German cities, provocative sight.

Dresden's pacifism is natu-

ral. It was not only devastatingly bombed, but it has been reminded daily for the past half century of the night of February 13-14 when 12,000 buildings blazed in a fire storm. The charred rubble of the Frauenkirche was allowed to squat for decades like a baroque slagheap in the middle of the city, explained only by a plaque that blamed "imperialist" bombers. If there were uniforms to be seen in the streets, they were of Soviet soldiers, neat tank men from Kirghizia, waiting for trains to and from the Warsaw Pact front line. The resentment towards the Russians, who snatched the best accommodation and who initially looted and raped among the rubble, far surpasses the bitterness felt for the British and Americans.

The re-emergence of uniforms, even in the harmless shape of Sir Peter and his young aide-de-camp, has prompted some reflection in the city. What is the nature of

Dresden's pacifism, what is the meaning of the bombardment for Germans today? Did the English commit a war crime? The answer, offered in random encounters with Dresdners, is still yes.

Are the Germans therefore victims of the war, to be pitied in the same way as the inhabitants of Warsaw or the Warsaw Ghetto? Nationalists and pacifists can march some way together in Germany. Pacifists create martyrs out of the Dresden victims; nationalists supply the martyrs' cause and draw conclusions about the way Germany should now behave. Since Germany is a victim of war as well as a perpetrator, it cannot be treated as if it has an "abnormal" history and must be allowed to take its place in the world. That, at any rate, is how the nationally tinged proponents of the new German pacifism are arguing.

Volker Braun, a poet whose father died in Dresden, protests: "Are we living under the

rubble of amnesia that we can propose the deployment of German Tornados and deliver weapons abroad without hearing the echo of terrors past?"

Yesterday, as the British and (the far more modest) American delegations moved around the city from cemetery to church, occasional placards sprouted in the crowd: "Dresden, Bihac, Grozny", read one of the protest banners.

A strand of this school of pacifism is that the 50-year-old tragedy equips the Dresdners in a special way to protest against killing of civilians everywhere. In other words, Dresden is not a German specific, but part of the universal catastrophe of war. That view is more or less acceptable to the German authorities, but it left President Herzog having to square the circle yesterday.

Despite the longing of some of the Dresdners and their

sympathisers, Germany cannot withdraw from military alliances or even future military action abroad. General Klaus Naumann, chief of staff of the Bundeswehr, also uniformed in Dresden, told General John Shalikashvili, US Chairman of the Joint Chiefs of Staff, yesterday that Bonn was prepared to supply 1,000 military hospital staff and a contingent of Tornado jets in the case of a United Nations withdrawal from Bosnia.

Of course, Sir Peter Inge's brief visit in uniform will not prompt a revolution. But it has brought some thoughts. "It is no longer in us to say we are against war because something bad was done to us," an elderly man said. "No war is the same the last one began in 1933 when Hitler came to power and we have to ask ourselves why we let him. Where does German responsibility end, and British responsibility begin?"

Dresden's sorrow, page 16

Shevardnadze in Downing St visit

BY MICHAEL BINYON, DIPLOMATIC EDITOR

THE President of Georgia and former Soviet Foreign Minister, Eduard Shevardnadze, arrives today for a three-day visit that will underline British support for Georgia's independence and territorial integrity and make clear Western backing for political and economic reform in the turbulent republic.

Mr Shevardnadze was a popular reformist Foreign Minister, who forged close relations with Britain during the key talks leading to German unity. He will be given an effusive welcome, before talks and lunch with John Major, a reception with the Queen and a formal dinner.

Mr Shevardnadze was last here during a visit by President Gorbachev in April 1989, six months before the fall of the Berlin Wall. The long-standing invitation was renewed in November at the Budapest summit of the Organisation for Security and Co-operation in Europe. He will

visit the Bank of England, the Stock Exchange, the European Bank for Reconstruction and Development and the Confederation of British Industry. Britain sees the chance for a rapid expansion of trade, providing economic reform takes hold: last year British exports to Georgia amounted to only £4.2 million, with imports a derisory £128,000.

The main aim of Britain's invitation is to boost Mr Shevardnadze's standing and his attempts to restore normality after a bitter civil war, tensions between ethnic groups and a confrontation with Russia. While at Downing Street, he will sign a joint declaration on friendship and co-operation and another on the promotion and protection of investment in Georgia.

His talks with Douglas Hurd, the Foreign Secretary, are also expected to cover Bosnia-Herzegovina, Chechnia and Nato's plans for expansion in Eastern Europe.

Court charges 21 Serbs with war crimes

BY EVE-ANN PRENTICE, DIPLOMATIC CORRESPONDENT

SERBS who ran the prison camp in Bosnia-Herzegovina from where images of skeletal inmates were broadcast around the world on television at the height of "ethnic cleansing" in 1992, were yesterday charged with crimes against humanity by the former Yugoslav war crimes tribunal in The Hague.

However, only one of the 21 suspects is in custody and can be tried. Dusan Tadic, who is accused of killing and raping civilians inside and outside the Omarska camp in northwestern Bosnia, is being

held in Germany. A law clearing the way for his extradition is expected to pass the Bosnian parliament next month.

The Criminal Tribunal for the Former Yugoslavia, which is not allowed to hold trials in absentia, is not sure where the other 20 accused are. These include one charged with Mr Tadic and Zeljko Meakic, the commander of the Omarska camp, and the only suspect to be charged with genocide. The court documents alleged his complicity in actions aimed at bringing about the destruction of Bosnian Muslims and Croats as people. Mr Meakic is charged with 18 other camp officials with crimes against humanity,

violations of the law or customs of war and breaches of the Geneva Convention.

According to the tribunal, Omarska opened in May 1992, after intense bombing of Muslim regions which forced inhabitants to flee their homes. Most of the inmates were Muslim men.

United Nations aid officials said yesterday that Muslim civilians are starving under a food blockade in the Bihac enclave of northwest Bosnia where peacekeepers have monitored the worst violations of a six-week ceasefire. The enclave is under attack by Serbs and Muslim rebels opposed to the Bosnian Government.

Prague taxi drivers adopt shock tactics

FROM REUTER IN PRAGUE

UNWITTING foreign tourists who refuse to pay the exorbitant fares charged by Prague's unscrupulous taxi drivers may be in for a shock.

Electrically wired seats are the latest device employed by the Czech capital's taxi drivers to persuade passengers to pay their extravagant fares. "Metal wires are stuck into the upholstery and when a button is pushed, the circuit is connected and there's an electric shock," Antonin Zemlicka, of Prague's taxi drivers' guild, said.

Prague, with its medieval architecture, has become eastern Europe's biggest tourist attraction since the collapse of communism in 1989. The city's taxi drivers, who have earned a reputation as the most crooked in the world, prey on foreign visitors, few of whom speak Czech. The number of taxi drivers in Prague has tripled since 1989.

Last year, the Mayor's office carried out a "sting operation" against cheating taxi drivers, getting foreign residents to pose as tourists with no knowledge of the language. Every driver they tested was found guilty of overcharging between four and ten times the legal fare, each was fined 20,000 crowns (£465). The department plans to repeat the operation later this year.

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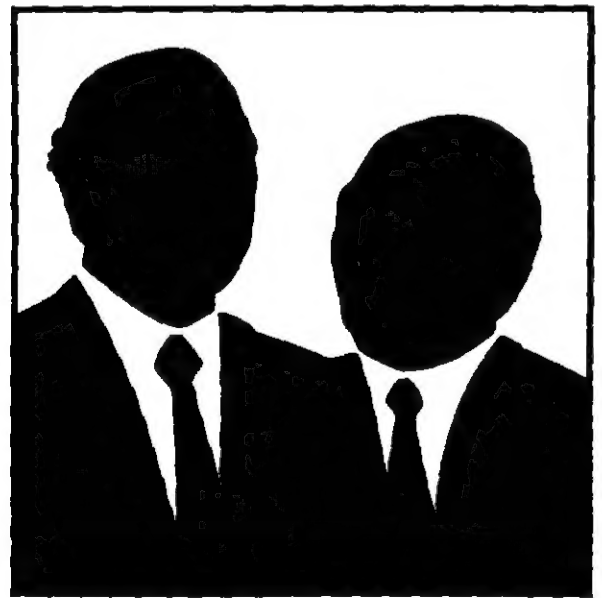
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Clinton is urged to veto Gingrich Bill as risk to security

FROM MARTIN FLETCHER IN WASHINGTON

THE House of Representatives is expected to approve a Republican Bill this week that the Clinton Administration says would hobble the President's conduct of American foreign policy, end UN peacekeeping operations and foster instability in Europe.

Warren Christopher, the Secretary of State, and William Perry, the Defence Secretary, issued a warning yesterday that the National Security Revitalisation Act, the foreign policy component of Newt Gingrich's Contract with America, posed such a threat to America's security that they would urge President Clinton to veto it.

"What is at stake is fundamental: the authority of our President to protect the national security and to use every effective option to advance the interests of the United States," the two men declared in a joint New York Times article.

The legislation, which must also be approved by the Senate, reflects America's disenchantment with the UN after botched operations in Somalia, Bosnia-Herzegovina and elsewhere. It would make it harder for American troops to serve under UN command and cut America's basic contribution to UN peacekeeping

costs from roughly a third to a quarter. From that basic contribution it would further deduct the costs of America's participation in UN operations unless — as in the Gulf War — Washington would have mounted the operations anyway out of national self-interest.

Benjamin Gilman, Republican chairman of the House international operations committee, said the bill was designed merely to prevent the Administration "rushing headlong" into further UN peacekeeping operations without first thinking through the implications. Mr Christopher and Mr Perry argued the Bill would "cancel our entire peacekeeping payment". Other allies would follow suit and UN peacekeeping would end. "It would leave the President with an unacceptable option whenever an emergency arose: act alone or do nothing."

The Bill stipulates that Hungary, Poland, the Czech Republic and Slovakia should be admitted to Nato "in the near future", provided they remain free-market democracies. Mr Perry and Mr Christopher argued that this would foster complacency in those states and discourage reforms in other former Warsaw Pact nations. The result "could be instability in the very region whose security we seek to bolster."

The Bill would also revive in more modest form President Reagan's "Star Wars" initiative, the programme that consumed \$36 billion (£23 billion) in 12 years before the Clinton Administration killed it in 1993.

□ Warsaw: Malcolm Rifkind, on his first trip to Poland as Defence Secretary, said Russia posed a challenge to European security but the key to the future must remain a policy of co-operation.



Gingrich: criticised for putting security at stake

Timorese tackle terror gangs

FROM REUTERS IN JAKARTA

CIVILIANS in East Timor have been fighting mysterious gangs that have terrorised Dili, the capital, rounding up several alleged members and destroying their vehicles, residents said yesterday.

The residents said whole neighbourhoods had joined forces to tackle the squads, which they believe have been hired by Indonesian forces to subdue fresh unrest in the troubled territory. "The local people are fighting back. They are beginning to get organised," one resident said.

Major Laedan Simbolon, an army spokesman, has denied any military links with the so-called Ninja groups. He said they are East Timorese who oppose Indonesia's 1976 annexation of the former Portuguese colony, a year after its invasion of the tiny territory.

At least four Western embassies have expressed concern this month over recent incidents, including the killing of six Timorese by Indonesian forces. During the weekend, Indonesia cast doubts on its earlier claim that the six victims were guerrillas, saying that the soldiers involved in the incident west of the capital might have violated established procedures and may face a court martial.

An official team is in Dili to investigate the incident. Exiles and residents say that the six victims were civilians who were killed in cold blood.

After months of relative restraint, the situation in Timor has deteriorated in recent weeks, with dozens of citizens reported to have been attacked or detained in the raids.

Despite visits by diplomats from several Western embassies, residents say the Ninja gangs have continued to stalk the streets, apparently searching for dissidents. "The strategy is a kind of shock therapy, making us be quiet or be afraid," said one resident, adding that 29 people were now believed to have been abducted.

Broadway producers prepare for drama

FROM JAMES BONE IN NEW YORK

A GRIPPING real-life drama is unfolding on Broadway which could end with America's most famous theatres going dark this summer.

Fears of a strike are growing as leading producers prepare to challenge outdated work rules imposed by trade unions. Rents and labour costs have been rising on Broadway for years, pushing up the price of stall seats to \$70 (£45) each.

Producers complain that they are forced to pay musicians who never play and hire "curtain-men" for theatres that have no curtain.



Lloyd Webber: ready to take on stagehands

Theatre-owners have previously given in to union demands and there has been no work stoppage since 1973. But the high costs of staging a show have pushed even the legendary Neil Simon off Broadway. It is now dominated by a handful of younger impresarios with deep enough pockets to be able to take on the unions.

The principal protagonists are Andrew Lloyd Webber, composer-producer of hits such as *Cats* and *Phantom of the Opera*, and Cameron Mackintosh, who is putting on *Miss Saigon*. These producers are expected to force a showdown with the unions when the stagehands' contract ends in July.



O. J. Simpson, accompanied by a Los Angeles County Sheriff's deputy, points to the front garden of his home in Brentwood as he and jurors toured the sites connected with the murders with which he is charged

Home tour puts O. J. Simpson in subdued mood

FROM GILES WHITTALL IN LOS ANGELES

O. J. SIMPSON emerged subdued after a brief walk through his house, during which he was forbidden to touch anything, although he appeared relaxed and jovial at first, according to reporters assigned to a high-security jury field trip.

Eight months to the day after being led in handcuffs from his front door to a waiting police car, Mr Simpson returned to his Brentwood estate for two hours on Sunday surrounded by a posse of sheriff's deputies.

As jurors toured the nearby scene of the murders of his former wife, Nicole Brown Simpson, and her friend, Ronald Goldman, Mr Simpson had stayed in an unmarked car but, arriving at his own house, a mock Tudor mansion with a tennis court and swimming pool, he got out and chatted in the sunshine with his lawyers.

"He'd just as soon stay there," F. Lee Bailey, a defence lawyer, said as Mr Simpson was driven back to the Men's Central Jail. The

mansion on Rockingham Avenue had been carefully prepared to strike a wholesome note in jurors' minds, with fresh flowers in each room, fires burning in the grates and a bible lying on one table. Judge Lance Ito overruled prosecutors' objections except in the case of a photograph of Mr Simpson's mother on a bedside table. Placed there since the murders, it was removed before the jury tour began.

After three weeks of opening statements and often riveting testimony, the trip gave jurors a chance to get a first-hand look at the now infamous sites linked to the murders. When it was over, both sides were eager to find in the jurors' dispassionate faces any sign that they had been swayed in their favour.

"I think it was very, very good for the jury to be able to see the relationship of each of the locations to each other," Marcia Clark, the Deputy District Attorney, told reporters. Mr Simpson denies the charges.



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SUN ALLIANCE

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TOGETHER WE MAKE SOME ALLIANCE

*Survey published in The Daily Telegraph, Saturday January 7th 1995. Source: Telesure. Telephone lines open 8am - 8pm Monday to Friday, 9am - 1pm Saturday.

Mexico's mood of rebellion spreads to voters

By DAVID ADAMS

AS MEXICAN police and soldiers try to crush a 13-month-old peasant uprising in Chiapas, the Government yesterday faced a rebellion of a different kind in the central state of Jalisco, where voters turned out in force against the ruling party of President Zedillo.

The opposition National Action Party claimed a convincing victory in the election for Governor, ending more than 60 years of dominance by the ruling Institutional Revolutionary Party.

Hundreds of opposition supporters celebrated in the streets of Guadalajara and Puerto Vallarta, honking horns and singing along to the mariachi



music that is native to Jalisco. Exit polls showed the opposition leading with 54 per cent and the ruling party in second place with 37 per cent. "Finally the people lost their fear of change," Alberto Cardenas, 36, an opposition candidate for Governor, said.

The vote appeared to mark the ruling party's worst defeat in history, and only the fourth time it has lost a governorship. With three more elections to come, the opposition is hoping that Jalisco will be the first of many victories.

Señor Zedillo has been trying to regain political credibility by announcing democratic reforms to clean up the justice system. But nothing would enhance his credibility as a reformer more than accepting defeat in Jalisco.

Boesak withdrawal from UN post eases President's embarrassment

Wife stops short of full apology to Mandela

FROM MICHAEL HAMLYN IN JOHANNESBURG

WINNIE MANDELA yesterday wrote to the South African President, her estranged husband, defending her criticism of the post-apartheid Government, saying that she had never intended to insult him or his administration.

A second embarrassment for President Mandela was partially settled when Allan Boesak withdrew from his appointment as Ambassador to the United Nations. Dr Boesak has been accused of "enriching himself substantially" at the expense of victims of apartheid who were the intended recipients of aid from four Scandinavian donor organisations.

Mrs Mandela was warned last week that she must apologise or resign as Deputy Minister for Arts, Culture, Science and Technology for declaring at the Soweto funeral of a police officer shot by his white colleagues that the Government had betrayed the black masses. She did neither, but in a carefully worded letter wrote: "The impression of the people is that [the Government and the African National Congress] neither care nor know about [their problems] ... I was trying to correct that perception. If in doing so I created a

different impression, that was not my intention."

She concluded: "I have always been an honest and forthright member of the ANC. I have tried to be equally faithful to the Government, and I mean to remain so."

Eleven members of the ANC Women's League executive have resigned over Mrs Mandela's "dictatorial conduct" as the organisation's president. Mr Mandela failed to persuade the 11 to withdraw their resignations at an unscheduled meeting on Sunday, and they made clear that they would be satisfied only with the election of a new executive.

Dr Boesak, whose decision to withdraw as UN Ambassador was accepted by the President, said that his decision to step down was not "in admission of guilt, but to allow the [investigation] process to be completed unhindered". He added: "I have nothing to fear."

□ **Bombing trial:** Twenty six members of the neo-Nazi Afrikaner Resistance Movement yesterday pleaded not guilty to charges including murder and attempted murder at the start of their trial over a series of bombings last April that killed 21 people and wounded more than 200. (AP)



Winnie Mandela has been embroiled in many disputes; the latest one has deeply upset her estranged husband

South Africa feels for its ageing leader in his distress

By R.W. JOHNSON

WHEN Winnie Mandela was first named as Deputy Minister for Arts and Culture, one journalist politely queried the appointment. Well, President Mandela said, you have to remember that she played an important role in the early days of the struggle.

That not only summed up the President's attitude to government appointments as being more to do with past

service than with present aptitude but also reflected the South African political trait of looking after one's own, whatever their misdemeanours. Thus Chief Mangosuthu Buthe and F.W. de Klerk have both shown a marked reluctance to dismiss subordinates and colleagues accused (or even convicted) of serious wrongdoing. The only crime that really counts is disloyalty to the party.

Such criteria are only too

visible in the latest dispute over Mrs Mandela. In the past few months she has been sued for non-payment for air tickets for a dubious-sounding trip to Angola to pick up diamonds, and is alleged to have been involved in the seizure of furniture and equipment from the Congress of Traditional Leaders. Similarly, Mrs Mandela has used her position to emerge as co-sponsor of a commercial tourist venture with Omar Sharif,

the film star, and has become involved in a dispute over the visit of the Rolling Stones, criticising their arrangements as racist because they are employing a white promoter.

Yet the reason why Mrs Mandela is in trouble now is nothing to do with any of this, but for the intra-party sins of having fallen out with the executive of the ANC Women's League and for having made a speech critical of the Government. Thabo Mbeki,

the First Deputy President, has apparently delivered a resign-or-apologise ultimatum to her on behalf of a desperately distressed President Mandela. Everything — including her explanation in a letter to her estranged husband yesterday — suggests that this is a doomed strategy. The fact is that Mrs Mandela suffered dreadfully as a child as she watched her mother hounded to an early grave by a vindictive mother-in-law. Many believe that this upbringing has left her psychologically prone to sudden and imperious changes of mood.

Further, President Mandela feels he would lose face by acknowledging his wife's errant ways. Most of the country silently acknowledged the truth of those ways some time ago, however, and feel nothing but sympathy for their ageing leader in his agony of distress.

Algerian theatre director killed

Tunis: The head of Algeria's national theatre was shot dead outside the theatre in the centre of Algiers. Azzedine Medjoubi was the second leading theatrical figure to be killed in less than a year.

Four members of the Armed Islamic Group have been arrested in connection with the killing of Said Mekbel, the editor of Algeria's *Le Matin*. The four men were shown on television admitting being involved in the murder. (Reuters)

Inside job

New York: Scotland Yard officers have decided that the theft of £2.5 million in cash from a cabinet in the United Nations compound in Mogadishu last April was done with the help of an "inside agent".

Strikers die

Dhaka: Three people were killed when police opened fire on striking Bangladeshi textile workers who attacked their station at Ghorasal, 20 miles east of here, with bombs and stones. (AP)

Taxi murder

Jerusalem: Israeli police are investigating if Arab terrorists were behind the murder of a Jewish taxi driver found stabbed in his vehicle on the way to the West Bank Jewish settlement of Maale Adumim.

Meningitis toll

Lagos: An outbreak of meningitis in two villages in the Oyo region of south-eastern Nigeria has killed 258 people, the state-owned News Agency of Nigeria said. (Reuters)

Rail contract

Paris: Bouygues, the French construction group, announced the signing of a £300 million contract to construct an underground railway in Sydney. (AP)

Fatal jealousy

Medan, Indonesia: An Indonesian man, 100, who believed his wife, 75, was having an affair cut her throat near here after she refused to have sexual intercourse with him. (AP)

Peru 'shoots down two Ecuador jets'

Lima: President Fujimori of Peru said that Peruvian anti-aircraft fire had shot down two Ecuadorian warplanes and troops had begun an assault on a key Ecuadorian outpost in a disputed border area in the Amazon.

The Peruvian President said in a television interview late on Sunday that troops used surface-to-air missiles to shoot down an A37 ground-attack plane

and an Israeli-built fighter supporting Ecuadorian forces in the upper Cenepa valley. He also said the army began to attack the Tiwinza post, which Peru claims is the last Ecuadorian stronghold on Peruvian soil. "They are on the attack now," Mr Fujimori said. "They are in close combat ... We have evacuated ten wounded. There are no dead. We will have ejected them within the next several

days." In Quito, Ecuador's armed forces confirmed that one warplane had been hit by Peruvian anti-aircraft fire over Cueva de los Tayos, but said it had returned safely to base. Mr Fujimori insisted that Peruvian anti-aircraft fire brought down two planes. The dispute is over a mountainous valley along an unmarked 48-mile stretch of the 1,060-mile border set by a treaty in 1942. (Reuters)

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India takes St Valentine to heart

FROM CHRISTOPHER THOMAS IN DELHI

ONE of the more banal manifestations of upper-class India's disdain for tradition is its adoption of St Valentine's Day. This has produced lusty advertisements in the personal columns of newspapers from "Hot Hindu" and "Masala Man" and a booming industry in goody greetings cards that go against the cultural grain.

Shops are boasting 175 varieties of card this year, ranging from the sickly sentimental and plain affectionate to the vulgar. Hundreds of thousands of flower sellers in the big cities have stocked up, aware that a profitable custom is sweeping the land.

The blame for this intrusion lies with foreign satellite television, which arrived in full force a few years ago after a timid and initially illegal launch in 1991-92. Since then, St Valentine's Day has been plugged enthusiastically over the airwaves. Every expensive hotel in the country is pandering to St Valentine's Day with discotheques, smoochy dance evenings and candle-lit dinners and newspapers are telling their readers about the "legend of St Valentine".

Times FM, Delhi's first pop music station, is connecting the city's lonely men and women with friends and lovers overseas via telephone links. Programmes are being aired for the young to bare their hearts to a mesmerised city. Boys are heard to pine, girls to sob: a far cry from a few years ago when decorum in matters of the heart was still de rigueur.

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The Royal Navy is to relax its rules on eyesight and allow those on the bridge to use contact lenses or glasses, says Dr Thomas Stuttford

THE LOSS of an eye did not inhibit Nelson's career in the Royal Navy, but by the standards of fitness that have prevailed for nearly two centuries, the eyesight of those who keep watch on the bridges of warships has had to be faultless.

The Navy has recently become concerned that no sooner does it train officers to the point where, aged about 35 or 40, they are ready to be a commander on a state-of-the-art warship than the doctors reject them on the ground of poor vision. So the Navy has decided to relax its time-honoured rules.

Bottle-thick spectacles will not be allowed, but contact lenses and glasses strong enough to compensate for a modest loss of sight will be. However,

contact lenses will not be acceptable for air crew or submariners, and cannot be worn under gas masks.

The disappointing news for those operating the excimer laser centres which have been opening recently is that the Navy has let it be known that if any officers attend for laser treatment to correct myopia (short sight), it "is unlikely to help their career".

Mr John Grindle, the ophthalmic surgeon who runs the New Image laser centre in the City of London, says: "The decision of the British Navy is remark-

able. In the Australian Navy photorefractive keratectomy, laser treatment, is allowed. In the American Marines it is even acceptable in their marine special forces unit."

The shape of the eye determines how well the light rays are focused on the retina and hence how good a person's sight is. If the eye is longer than usual, or the cornea (the window of the eye) is too curved, instead of being focused on the retina the rays of light will converge to a



point just in front of it, so that the patient is short-sighted. When looking at a distant object — in former times possibly a sail or smoke on the horizon — a short-sighted watch-keeper would either not see it at all, or detail would be blurred.

The Russians tried radial keratotomy to try to correct a too curved cornea through surgery. In this operation radial cuts were made across the eye so that the curvature of the

cornea was altered. If the cuts were too shallow the eyesight was little improved; if too deep, the eyeball could burst.

More recently American ophthalmologists, exploiting a British invention, have utilised laser therapy to shave a predetermined layer off the front of the cornea. This subtly alters its shape so that the light rays converge on the retina, and distance vision is sharpened.

Mr Grindle says that caution is the name of the game in laser therapy. He adds that criticism has arisen when results have been disappointing, usually

because of faulty selection of patients. Mr Grindle would have rejected Nelson, for instance: any loss of vision in one eye, other than from short sight, is an excluding factor. Patients with collagen diseases including rheumatoid arthritis and lupus are not suitable, nor are those who are diabetic or who have any retinal disease. Patients with severe short sight are not accepted, but the degree of severity allowed depends on the laser machine available.

One eye at a time is treated, under local anaesthetic. There is some discomfort for the first 24 hours, and television and reading are barred. Vision improves over the next three months, when a decision is made as to the optimum time for treating the second eye.

Sailors who need help to see the signal

Whose notes are they anyway?

Do patients want to know what their doctor has written about them?

Dr Trisha Greenhalgh investigates

On November 1, 1991, patients became legally entitled to see their written medical casenotes under the Access to Health Records Act (1990).

Computer-held medical information, in common with personal data held on computer for any other purpose, has been available to patients for more than ten years under the Data Protection Act (1984). To my surprise, none of my patients has ever availed themselves of the right to browse through their casenotes or look over my shoulder at the computer screen during a consultation. I recently asked some of them why not.

"Good grief, doctor, your notes are none of my business," said one woman, as if I had offered her a peek at my personal diary.

In fact, although I refer to Mrs Smith's NHS medical record as her notes and she refers to the same record as my notes, they are written on government stationery and are, strictly speaking, the property of the Secretary of State. But even if Mrs Smith were a private patient, she would have exactly the same right of access to her medical record as she would to a set of NHS casenotes. Conversely, NHS doctors who routinely keep a second set of "private" notes on potentially litigious patients are wasting their time.

Another patient said to me: "For one thing, I can't read your writing, and for another, I wouldn't understand the terminology." Doctors are, in fact, legally obliged to decipher illegible prose and offer a reasonable explanation of medical jargon. In theory, the doctor could invoke the "therapeutic privilege" clause and withhold information which might be detrimental to the patient's health. In practice, a refusal is likely to generate more worry than the content. These days, GPs tend to write "sore throat" rather than

"pharyngitis" and "period pains" rather than "dysmenorrhoea", but abbreviations such as UTI (urinary tract infection), DNR (do not resuscitate) or VMI (very much improved) remain ubiquitous. Some are ambiguous — for example, PID (pelvic inflammatory disease) or prolapsed intervertebral disc or NAD (nothing abnormal detected or not actually done).

A further source of confusion is the use of Latin, which ceased to be a requirement for medical school a generation ago and persists in medical circles largely to maintain professional mystique. The expression "review SOS" does not mean that the patient should be seen again urgently, but only *si id opus sit* — if symptoms persist.

Many people fear that they might discover "rude comments" in their casenotes. Traditionally doctors' remarks about their patients have ranged from the paternalistic to the frankly pejorative. The term "grossly obese", for example, may not be inaccurate but it is certainly offensive and imprecise.

While most people seem singularly uninterested in their own casenotes, I am often asked to view the medical record of a third party. Parents have no right to see the casenotes of a child over 16 and, more contentiously, they may only see the record of a younger child if the child has consented or, if in the doctor's opinion disclosure would be in the child's best interests. Similar rules apply to spouses, elderly relatives, or friends.

Removing the secrecy surrounding medical casenotes has been rather like taking down a fence to reveal workmen digging a hole in the road. An inquisitive minority have stared to their satisfaction but the majority have neither the time nor the inclination to take a closer look.

Dr Greenhalgh is a North London GP.



Nigel Hawkes reports on operations by Michael Harrison (above) on the unborn child

Until recently, the womb was a private place, beyond the reach of the surgeon's knife. The processes that went on there could sometimes go awry, without much prospect of early detection, and no hope at all of cure. The result was a stillbirth, or a child born alive but with congenital abnormalities, sometimes fatal.

A revolution in foetal surgery is now changing all that. Not only can abnormalities be detected early in pregnancy, but increasingly surgeons are developing techniques to put them right. Despite its difficulties, foetal surgery offers advantages that make it very attractive — and throws up dilemmas that will keep ethical committees awake at night.

Consider this. A British plastic surgeon, Anthony Rowsell of Guy's Hospital in London, has developed techniques for growing rat limbs in culture. According to a *Horizon* documentary to be broadcast tonight (BBC2, 9.30pm), he has managed to grow such limbs for three days, equivalent to a month of human gestation.

The method could provide the basis for foetal limb transplants to embryos which for some reason have failed to develop arms or legs of their own. These limbs would have to be supplied from aborted foetuses. "The only source of human foetal organs is the human foetus," says Mr Rowsell. "It would be necessary to harvest the foetal organs at a relatively young gestational age and culture them in an appropriate medium until they were the correct size and maturity to be suitable for transplantation."

Even more extraordinary, a California surgeon, Michael Harrison of the University of California at San Francisco, has shown that animal cells can be transplanted between species without rejection if it is done before the immune system has fully developed — about 16 weeks in human beings. The result is a chimera, a creature that carries two types of cells within its body in perfect harmony.

The implications for organ transplantation could be huge. Suppose that a human foetus had been injected at an early stage with cells from the liver of a pig embryo. The baby would, of course, be human, but among its cells, and not



Ben Crosland being removed from the womb at 24 weeks: his chest was opened up to expose and excise a tumour, then he was sewn up and replaced



Jill Crosland and Ben: "Not a day goes by that I don't think what a miracle his life is"

recognised as foreign, would be pig cells. This would mean that later, if the human heart, kidney or liver failed, it should be possible to transplant the pig's organ without any problems of rejection.

Foetal surgery has huge attractions for plastic surgeons, because any incisions made early enough in the life of the foetus heal without scarring. Already, as *Horizon* discloses, this has been used by a leading Mexican plastic surgeon, Professor Fernando

Ortiz Monasterio, to repair a cleft lip in the womb. The operation was a success — the baby, alas, died several months after being born.

Professor Monasterio does not know the cause of death — no post mortem was conducted — but defends the use of a risky, experimental form of surgery to correct a condition that could have waited until after birth. The mother had told him that if her baby could not be born perfect, she would opt for a termination.

Premature labour is one of the major obstacles to foetal surgery. Jill Crosland, an American mother of two healthy children, had her third child operated on in the womb by Mr Harrison when scans showed that it had developed a benign tumour that, if left untouched, would prevent the proper development of the lungs, and kill the baby.

Mr Harrison and his colleague Professor Scott Adzick, who had carried out 1,800 foetal operations on animals

before attempting them in human patients, successfully removed the tumour. First the uterus was exposed, then opened up carefully to expose the baby, without damaging the placenta. It was taken from the womb, the lump removed, and then replaced with a warm saline solution to replace lost amniotic fluid to complete its allotted nine months of gestation.

To prevent Mrs Crosland giving birth prematurely she was given powerful drugs, but even so Benjamin made his appearance ten weeks early. He was, however, a fit and healthy baby who is now growing up normally.

"There's not a day goes by that I don't think what a miracle his life is," says Mrs Crosland. But Mr Harrison admits that not every operation has such a happy outcome: less than half the babies survive.

"It often doesn't work and it's agonising, absolutely agonising, for those families," he admits. "But they won't let you stop. All the committees and all the dogooders and everybody say, hey, it's too dangerous and you can't do anything more, but those who went through it, those who suffered through it, won't let us stop."

Much more problematical as an ethical issue is the question of foetal limb banks, and cross-species transplantation. For a child to be born without a limb is a tremendous handicap in life, but the idea of preventing this by harvesting spare limbs from abortions, and growing them in culture, is one that generates a shudder. It would be strange, to put it no stronger, to grow up with a limb that was not one's own.

In Stockholm, Dr Magnus Westgren of Huddinge Hospital has already attempted to use cells from aborted foetuses to correct a congenital abnormality of the blood, thalassemia. From six abortions, he gathered enough cells for a single transplant, separated them carefully, stored them in liquid nitrogen, then inserted them with a needle into the abdomen of a sick foetus.

His hope was that if the cells took, the baby would be born as a chimera, possessing both its own defective cells and normal ones from the transplant. The first attempt failed, but he intends to continue trying at higher doses. "This could be a cure for thalassemia and metabolic disorders," he says. "It could help many children."

Transplanting animal cells into human foetuses is an even more disturbing prospect. Mr Harrison isn't sure quite how it would work. "If we were going to use pigs, which is what we've started working on, would you need the actual pig — that is, is it to the individual pig that you develop tolerance across species, or is it to 'pigness'?"

"Now if we were lucky, and it's to pigness, then you've got it made, everybody who ever wanted to could be set up for a transplant from a pig for an organ wanted after birth. If it's to an individual pig, you can see the logistics get much more complicated."

The ethics are, if anything, even more complicated. "These issues are really too big for individual surgeons to address themselves," says Professor Charles Rodeck of University College and Middlesex School of Medicine in London. "We really do need guidance."

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Romance? No, just sentimentality

I'm too old to be a Valentine

WE ARE all familiar with the moan that children in these modern wicked days are cruelly robbed of their childhood, but I am no less disturbed — and considerably more struck — by the wilful denial of the state of adulthood.

No one, however distinguished, likes to own up to being "grown up", and that's meant to be engaging. We all live now in a permanent feverish adolescence. You could argue that it's a reaction to a truncated childhood: those of us whose years qualify us for dignified adulthood are the first generation of children to be born in an age of mass divorce. And I can't help thinking that having parents who were themselves young in the Sixties is a disadvantage in the growing-up stakes: how can they let their children relish adulthood if they themselves still cling to the vain notion of their perpetual youth?

Whatever the reasons, it's the effect that troubles me. Popular culture is proud to be immature. It's sniggering, prurient and sex-obsessed. And it's everywhere. Take Valentine's Day: you may have noticed that is no longer just the teen magazines that get themselves worked up over February 14. No one over the age of 25 should even be noticing. It's not for adults. It is a

quintessentially adolescent date on the calendar. Adolescence is, among other things, about courtship rituals, about who fancies whom and what a thrill it all is: Valentine's Day is simply a symbol of all this.

What I can't see is why we are supposed to continue with it all once the teasing element has been taken out. When you're young you send cards to people who don't know that you might be interested: thus they serve a purpose.



NIGELLA LAWSON

Quite what the point is of sending a card you sign, and more-over that you send to someone with whom you live and have children, is beyond me. But even I have had to give in: the propaganda is just too much.

What it's about is romance, of course. Look, I've got nothing against people loving one another, but I cannot stand all that sentimentalised stuff. I distrust sentimentality. It's what people who can't muster emotions have. And I distrust all this emphasis on Valentine's Day for the same sort of reason. I think it is just a fancy way of granting an amnesty to inconsiderate husbands. After all, it's much easier to send a bunch of long-stemmed roses once a year than it is to wash up after you the other 364.

Sloppy thinking, Oxford

NEWS that Oxford University is to scrap its entrance exam is particularly depressing, if only because it gives a fresh opportunity for those looking for an excuse — as if there needed to be one — to moan about yet another instance of the creeping political correctness that is apparently eroding our national life.

The fact is, Oxford's wrong to do it, even if the motive is the right one. Wanting to give as wide a selection of the population as possible the chance of a place at Oxford is fine enough. Why should we want it to be otherwise?

But as long as state education means more or less no education then increasing intake from the public sector is going to be difficult. But it is not suspect to want to do so, and it doesn't have to mean that academic standards are no longer cherished. As ever, everyone seems to confuse intelligence with the possession of a well-stocked brain.

A poor education may not help you acquire the second but neither does it prevent your having the first. The question

Oxford University should be posing itself is how best to distinguish between the two. And getting rid of the entrance exam is not the way.

A-level results show what you have learnt, not what kind of a mind you have. The trouble with relying on interviews is that articulacy is not necessarily a measure of intelligence. It is, especially at 18, more a sign of confidence than anything else, and, incidentally, one of the great benefits of a public school education.

The whole point of the Oxford entrance exam was that it was designed to test how you thought rather than to check up on what you knew. Or some of it was. By all means get rid of exams which merely extend the remit of A-level papers, with questions on Schiller's early plays or Molière as a satirist or what have you, but keep the general paper. Why does it have to be all or nothing?

You don't need to know a lot to answer the questions "Is revenge ever justified?" "What makes a good joke?" or "Is this a question?" You just need to be able to think.

Love just within the law

When the age of consent was lowered 25 years ago, Paul and Jennifer Brown were the first to tie the knot. Tom Rhodes reports

It has been a long time since Paul and Jennifer Brown last discussed their wedding day, but beneath the surface the memory is always there.

Twenty-five years ago their marriage was a cause célèbre when they became the first couple to wed after the age of consent was lowered in Britain. He was a strapping 20-year-old who had just left the Merchant Navy, she a 19-year-old clerical assistant in a firm of lawyers.

As we talk on the eve of St Valentine in the sitting room of their American home at Commack, Long Island, it is as though it were yesterday.

On January 1, 1970, Paul and his future brother-in-law, John Fincher, had borrowed a car and driven from Essex to London to wait on the steps of the Diocesan Registrar in Westminster, the only office in the country which could grant the new marriage licence.

"I remember we were the only people there when the doors opened at 8.30am and the whole thing took a while because the man inside didn't have the proper forms printed and hadn't even heard of the new law," said Paul, who then hurried back to Leigh-on-Sea, supped two pints of beer in the local pub and prepared himself at the altar at St Michael and All Angels to receive his bride.

Jeni, as she likes to be known, interrupted: "We were late starting. The service didn't begin until 3pm. It was snowing outside and I was extremely nervous."

They had met four years previously at a party in Ilford. She was seeing a friend of Paul's at the time and he was always away with the merchant fleet travelling for months at a time to the Gulf and India, Thailand and Japan, America and Venezuela.

While on shore leave two years later, Paul had proposed and the two were engaged. But Paul's parents disapproved. Finally the couple accepted the advice of the parish priest and decided to take advantage of a new law lowering the age at which you could marry without parental consent from 21 to 18.

"We opened the door for a lot of people, I guess," says Jeni, a petite brunette and mother of two. "I would not recommend it for everyone. We were broke to start but it was true love. I don't think many others could have reached the same level of maturity that we had when we married."

To show how impoverished they were, Paul told a story about their first landlady, an evangelical who believed they were faithless individuals and so increased the weekly rent by 25p to £7 a week.

Jeni was still earning a paltry sum and Paul had just lost his job in a polythene factory. The increase forced Paul to go before a rent tribunal. He won a four-month reprieve and, weeks later, was offered a lowly position with Plessey, the electrical and defence manufacturing company.

After a period of evening classes



The Browns on their wedding day, after Paul had returned from his dash to get a certificate



Paul today, and Jeni with Claire, right: "We both wanted the good life for us and our children."

and various moves around the country to Weston-super-Mare and to Templecombe, Paul became the sub-contracts manager for the company's naval systems division. Nearly 14 years ago the firm asked him to consider a move to the

United States. "I often ask myself what would have happened had I stayed in Britain," he said. "And I think the answer is that my children would have spent more time with their grandparents but I would not have gained the position

that I have managed to do over here."

And indeed his achievements are worthy of the American Dream. At 45, Paul is a round vice-president of defence procurement for Siemens, earning thousands of dollars

a week. The family has three cars, countless televisions and telephones. He is in the process of buying a new fishing sloop and is spending large sums to put his eldest daughter, Claire, 18, through William and Mary College, the respected Virginian university at Williamsburg.

Their second daughter Lisa, 13, has not shown the academic ability that her parents might have liked, but they are convinced her talent as a dancer combined with an obsession with Hollywood and Broadway will lead to the stage and silver screen.

Both have received green cards and will apply for American citizenship at their earliest opportunity in 1997. Jeni says she is not certain whether they will remain in the United States forever, but Paul is sure they will.

"It's the longest I have stayed anywhere in the world," he said. "I feel settled here and I don't want to go back to England and leave my children 3,000 miles away."

Their detached house in Commack is typically suburban American with well-manicured lawns both at the front and back. The deep pile carpets are not to everyone's taste but there is a sense of comfort which seeps up the stairs to the bedrooms. The Browns are by no means ostentatious but they would like people to know that their humble beginnings have produced something of worth.

Two of the new adults, Paul Brown and Jennifer Fincher, celebrated the arrival of the 'seventies yesterday by getting married.

Paul, a 20-year-old mechanic, and Jennifer, 19-year-old secretary, posed for a picture for the national album—they were

They joke about an impending divorce which will come after Jeni has won her unimpeachable trophy in the local bowling league or when Paul has spent too long fishing with his friend Joe. "Over here people row and get divorced," said Jeni. "Lisa thinks that because we have the occasional argument we will do the same. People give up much too early on marriage."

Clearly, there are few regrets in the Brown household. The couple say they have few American friends but are happy to be a self-contained family. "I wish I could have had a formal training, perhaps as a nurse, but then I think we have been very lucky. I suppose we have been fortunate in aiming for the same thing," said Jeni. "We both wanted the good life for us and our children and we have worked very hard for it."

Gone are the days when they would save every penny to buy each other a St Valentine's Day card. Today, Paul will be away on business in New Jersey for two days and Jeni will be spending the evening alone. "I expect he will send me a card before he leaves. We've been doing that since we were teenagers," she said.

The transcendently meditating Natural Law Party plans an enlarged university. Hoping to see some yogic flying, Giles Coren visited its headquarters

Ready for take-off at Mentmore

After three hours waiting, and assuming that the flight had merely been delayed, I dreaded being told that it had been cancelled altogether.

I was at Mentmore Towers, present headquarters of the Maharishi University of Natural Law, and spiritual home of the Natural Law Party, which polled 60,000 votes at the last general election. Its manifesto promised an end to crime, illness and poverty by affecting the nation's transcendental consciousness through "yogic flying".

The announcement last week that the Maharishi Foundation had acquired a former US airbase at Bentworth, Suffolk, where it plans to reestablish its university with accommodation for 4,000 students, has reawakened interest in the cause, and I had arrived for what I hoped would be not only an explanation of the party's educational proposals, but also a show of aerial prowess.

Mentmore looms above the trees from more than a mile away as you approach the grounds of the house. Bought from Lord Rosebery in 1978 for £200,000 (the local pub is still called the Rosebery Arms — with no plan as yet to change it to the Yogi Arms), it is a vast Victorian pile that would do credit to the opening credits of a gothic horror film.

The penumbrous atmosphere

continues inside. The building was empty when the foundation acquired it, Rosebery having already sold off all the furniture. Nothing much seems to have been added since then, and building repairs are still going on. I was shown round by the director of external relations, Guy Harchard, a former parliamentary candidate. There were 40 people living at Mentmore, he told me, all of them single men, mostly engaged on a long-term course of transcendental meditation (TM).

I saw no one. Just empty rooms around a central atrium, largely unfurnished but for pictures of the Maharishi, and one of the Queen and Prince Philip in the main hall. The royal picture, they told me, was to remind visitors that "we are not some band of revolutionaries. We don't want to overthrow society — just make it better."

The way to this improvement is through meditation. If 1 per cent of the population do it simultaneously, then the effect is felt by the whole community — crime rates fall, health improves, prosperity increases. The problem, of course, is that 1 per cent of the community does not do it. Which is where the flying comes in. Through the practice of the "Siddhi" technique the

transcendental consciousness is "enlivened" and the meditator is able to take off from the ground. So potent is this practice that only "the square root of 1 per cent of the community" need practice it to arrive at a perceptible improvement.

These are admirable ends, and the fact that the manifesto of the Natural Law Party made absurdly ambitious claims which no one believed hardly sets it apart from the other parties. Nor should the fact that its leader, Dr Geoffrey Clements, talks through an unsettling half-smile be held against him. Tony Blair does it too.

But a university? Given that the group is perceived as a cult (wrongly, in fact, for faith is not a requirement, and many of them practise their own religions inde-



Yogic flyers in preparation for the world championships

pendently) there could easily be accusations of brainwashing.

In a room surrounded with fake bookshelves and concealed doors I was joined by Dr Harchard and Dr Clements, as well as David Lines,

director of TM, and Nigel Kahn, the press officer, a

tweedy, moustachioed man who occasionally broke into the conversation to offer a calm and user-friendly gloss to the enthusiasms of his colleagues.

"The education system isn't working," he explained.

"If it was, then the world would be a wonderful place." Can't argue with that. Nor can you dispute Dr Harchard's assertion that "students often find themselves questioning their motivations, and wondering why they are at university at all. Further-

more, the stress of exams and essay writing leads to hypertension and affects their performance."

The solution to this, of course, is meditation. "All the students will have a 20-minute session, involving

yogic flying, every morning," said David Lines. The meditation ties into the Principle of Least Action — whereby maximum accomplishment is attained through minimum effort on the basis of infinite creativity.

In short, transcendental meditation makes the students cleverer, so they can get away with less work. They will surely flock to Suffolk in their thousands.

Education has prioritised objective knowledge at the expense of subjectivity," said Dr Harchard. "Degrees are all very well, but our students will arrive at a knowledge of their own self. GPs may be good at healing other people, but they are among the shortest lived of all professions. Politicians organise the state but cannot organise their personal lives. Their expertise does not function subjectively at all."

Just as things looked to be getting too objective, a number of huge course charts were produced from nowhere and spread on the table between us. The university offers the normal range of academic subjects, and hopes to collaborate with other universities so as to offer "accredited" degrees, and entitle its

students to government grants. The charts illustrate the unique benefits that will be offered at Bentworth.

"At any stage in a student's career," said Dr Harchard, "he can look to the chart and see how his studies relate to himself and the world." Each chart shows how TM gives the subject an identification with the "unified field of all natural laws". The business studies chart, for example, takes as its ultimate goal "the end of world poverty". So from a state of desperation about a last-minute essay crisis, a student is suddenly made aware of how his ultimate success will change the world. High-flying, indeed.

I never did see the yogic display. It was felt that a flying demonstration would compromise the gravity of our meeting. Certainly Dr Clements, who is not only the university's vice-chancellor but also party leader, takes his posts seriously. If an election is called soon, would he have time to fulfil both roles? "I am hoping for a bit of stability in the Cabinet for the next few months so we have time to set up at Bentworth," he said.

But as David Lines pointed out, "if he becomes Prime Minister we may have to rethink things." Without its Vice-Chancellor, he explained, the university would be left only with its Perpetual Chancellor, the Maharishi's own tutor. And he has been dead for a number of years.

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Simon Barrington-Ward
returns to a rebuilt city

Sharing in Dresden's sorrow

No one who entered one of the ruined cities of Germany after the war will ever forget the experience. I shall always remember my first sight of Berlin. I arrived as a young Cambridge graduate to teach English at the Free University. Flying into the city provided the initial shock. Berlin was a moonscape. Ruins stretched to the horizon. Then came the drive through the ghost city: a grey sky, eerie fragments of buildings, people in miserable cellars.

Although I had been at a school in 1940 from which you could see the sky glow above Coventry on the night when the city burned, and had lain in the shelters there as bombs fell near us, had known the impact of London's Blitz, nothing had prepared me for the devastation of the bombing in Germany.

Soon I was to hear firsthand from those who had suffered in that bombing. Above all, I learnt for the first time about Dresden. I heard the now familiar story. The destruction of 15 square kilometres of a defenceless city, packed with refugees. It was one of the most beautiful cities in Europe, a precious part of the heritage of us all. That night it was defenceless, packed with refugees.

Any genuine military targets, such as an army barracks or factories in the suburbs, were left unscathed, and little or no damage was done to vital road junctions, railway lines, marshalling yards or bridges.

It was horrifying to listen to those whose eyes had gazed upon those devastating firestorms that swept through a whole city, who had struggled out of cellars that were collapsing to climb into the inferno. Who had wandered helpless, struggling for breath in the heat, who had seen friends and family endure a terrible slow or instant death. Their accounts of the sights the next morning, the piled corpses in the rubble, many of the victims the elderly and the young, women and children, some blackened, some seemingly unscathed, lying as if they had fallen asleep: these remain with me.

The bombing of Coventry came as a deep shock because it was the first city to be treated in that way. The ultimate effect was very much smaller than the immense destruction in Dresden. But after that Coventry raid I remember reading in the newspapers and hearing from the radio and from our elders of the utter barbarism of Hitler and the Nazis in attacking citizens. No distinction was made between armaments factories, a cathedral and private housing. Up to a thousand people died, which was terrible enough.

But in Dresden, thousands upon thousands of people perished. The civilians had become the target. Churchill had spoken of sowing a wind to reap a whirlwind.

It was in Germany that I realised that when Goering, and later Goebbels developed

Hitler's idea of "total war", spoke of "concentrating" a city, they were releasing a whirlwind of evil which had come to sweep us all into its orbit. In Britain we had forgotten our earlier high sentiments. We had forgotten Provost Howard inscribing on the ruins of Coventry Cathedral the words "Father, forgive us and calling us in a Christmas broadcast to eschew all thoughts of revenge. We did not heed Bishop Bell when he later condemned the bombing of civilians in his famous House of Lords speech.

The Litany of Reconciliation of Coventry's Community of the Cross of Nails is also prayed in the Kreuzkirche in Dresden every Friday at the hour of Christ's death. It begins with the biblical words: "All have sinned, all have fallen short..."

This is the truth which first came home to me in the ruins of Germany. We are all caught up in this guilt. We all, even today, have the death of thousands of people on our consciences.

But I encountered more than ruins in Berlin. In the old parish church of Dahlem I met a group of ordinary people, many of whom had been part of a silent movement of resistance to Hitler. They taught me how to find and to share forgiveness, not just as a foundation for personal life, but as the potential basis on which to build a different Europe and a different world.

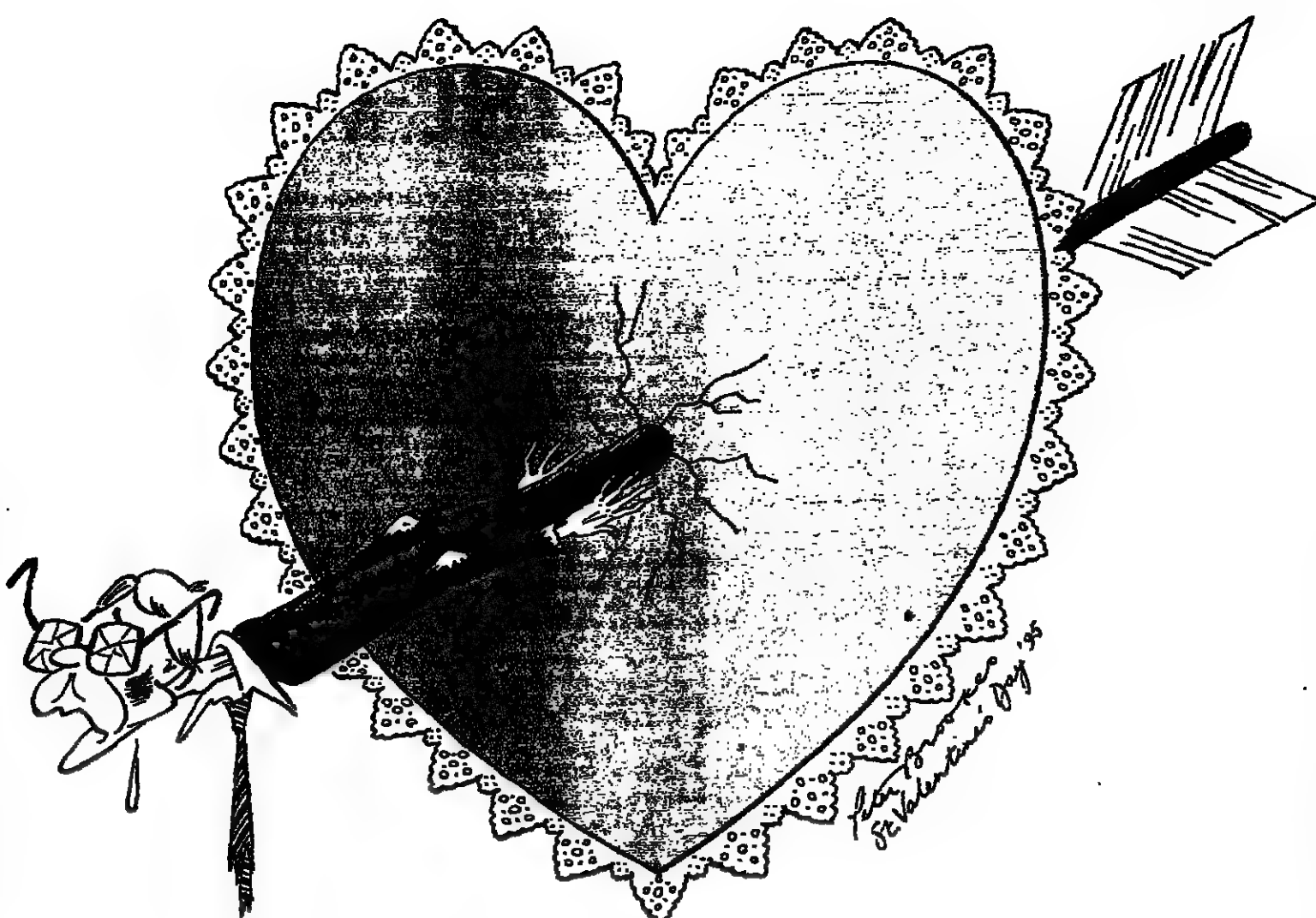
Surely part of the very essence of the democracy that we fought for when Britain stood alone was the freedom to live out of honest humility and vulnerability. We must be able to keep facing the fact that we have fallen hopelessly short of our ideals. We must be able to accept the blame for our constant illusions and betrayals, to go on being ready to acknowledge failure and to reorientate ourselves. We suffer too much at present from adversarial politics, from a culture of contempt and self-justification. "Only by accepting the past, can you alter its meaning."

For me it was not only an overwhelming privilege. It was a profound necessity to be able to stand yesterday in Dresden in the Kreuzkirche as Bishop of Coventry and to acknowledge publicly in the presence of a throng of Dresdners our profound sorrow and regret over what was done to their city 50 years ago. They themselves have been acknowledging their responsibility for the rise of Nazism as they have expressed their sorrow to us.

Our cathedral and the restored Frauenkirche now to be rebuilt from the ruins in Dresden — two churches that have risen again — can come to symbolise the only power left that can bring new hope to our society, to Europe and to the world: forgiveness, the power to begin again.

The author is Bishop of Coventry.

They
struggled
for breath
in the heat
of the
firestorms



AT THE BROKEN HEART OF EUROPE

There is a Jewish way

Israel may be in constant turmoil, but
it is determined to respect its history

I didn't intend to come back to the question of Jewry so soon after I had written about the Holocaust, but this story is very different indeed, albeit that it could not have happened anywhere other than Israel. However, what I see from my vantage-point would be enough to make my prayer-shawl flutter in the breeze if I had one. (The shawl, not the breeze.)

Consider: You would think, wouldn't you, that the Jews have had enough trouble to fill several centuries, and would not deliberately look for more. Yet it is so: and the *casus belli* (no, you idiot, that is *not* Yiddish for "you're putting on weight") is as strange a one as I ever did hear.

The Knesset (the Israeli Parliament) is almost always in noisy turmoil: this is not, however, the same kind of meaningless shouting and yelling that shames Westminster: it stems from the fact that no Israeli MP can ever agree with any other Israeli MP. And this, in turn, stems from the fact that any number of Jews, starting with two, will inevitably, soon or later, begin to argue. More than that, there is proof that even one Jew can have an argument, and for that matter no number of Jews can finish one.

Now to set the scene I must tell you that it is very rare indeed for any Israeli government to have a majority in the Knesset. There are 120 MPs, and apart from an array of very small but very noisy and argumentative parties, the bigger ones are all too frequently splitting. It is well known that all Israeli Prime Ministers go grey, and many go mad as well.

This, of course, is by no means the only fate that Prime Ministers in democratic countries suffer, as Mr Major could testify if he weren't too busy being stabbed in the back. I am happy to say, what makes the Israeli unique is the reason for the uproar. The budget? No. Taxes? A trifle. Dangerous by-elections? Pshaw. Those shouting and yelling in the Knesset are shouting about the morals and behaviour of King David, who, I am assured, has been dead for approximately three thousand years. Now will you believe me when I say that we Jews are — to put it mildly — different?

It started like this. The Foreign Minister, Mr Shimon Peres, was discussing the delicate matter of the conquest of other nations, and saying bluntly that such conquests were abhorrent to him. To illustrate his point he brought in King David, who

certainly made such conquests. That was bad enough, but Mr Peres went further, and made clear that he deplored King David's behaviour on other scores — viz., the seduction of Bathsheba, who was another man's wife, and — worst of all — sending Bathsheba's husband into a battle in which he would be sure to fall. (In the full text, David's behaviour was even worse: the dirty old man was a Peeping Tom — he was lurking behind a chimney when Bathsheba came out to bathe, and he not only seduced her, he got her pregnant.)

I take no sides (though my grandmother's name was Bathsheba, a very beautiful forename), but I didn't need to — the uproar broke out immediately and — you won't believe this — a motion of no confidence was laid. A motion of no confidence? There were three!

That's nothing. Not long ago a similar uproar broke out when an MP (a daughter of the late Moshe Dayan too), suggested that King David was not just a voyeur, a seducer and to all intents a murderer, but was also — er, um, how shall I put it? — well, actually, a poodah, the evidence being that he said "Thy love to me was wonderful, passing the love of women".

And that's not all: hitherto the fire has been directed at Mr Peres, but Prime Minister Rabin has been in very hot water when it was found that, on an important mission to Japan, he was seen to be eating non-kosher food, though nobody, it seems, stopped to think that in Japan there might be no kosher food. You still don't think that Jews are rather peculiar? Try this. A Mr Massoud Cohen — and for Jewish names you can't get more Jewish than Cohen: why, the very Levins have to bow to the Cohens — wanted to marry a Miss Shoshana Haddad. Neither had been married before, they were quite certainly Jewish, they were willing — nay, eager — to go through the most solemn and profound ceremonies, but were denied a marriage. And why? Because it was possible that the would-be bride was

descended from a man who had lived some 2,500 years ago. Well, many men lived and died 2,500 years ago — indeed many of us can claim them among our ancestors — so what was wrong with this particular one? The answer, delivered by the rabbinical authorities, was that it was possible that this particular man might — only might — have been descended from a man who, some 5,000 years ago, might have married a divorced woman.

And because it was possible that such a marriage might have been made, Miss Haddad is debarred from marriage entirely, at least if she wants her marriage to be properly consecrated. (Mr Cohen did, later, marry the lady of his choice, but it had to be done privately, and anyway the Chief Rabbi still refuses to recognise the Cohen-Haddad marriage as a real one.)

The first conclusion is inevitably that Jews are not just peculiar but collectively barmy. The second conclusion is that Jews should have long ago wiped away such barnacles as those encrusted on the Cohen-Haddad marriage. The third conclusion is that the ordinary Israeli must be pretty feeble to countenance such nonsense.

And the fourth conclusion is that Israel may be right, and touchingly right despite all the barnacles and lunacies and tiresomenesses. I would not wish to live in Israel: I feel nothing special for the country. But I can applaud from the sidelines, and as I do so, I know what I am applauding.

Throughout the centuries, the Jews have been pariahs and worse. Massacre and banishment was always their lot, together with robbery of their homes, their religion, their very lives. Then the thing happened, and the world watched.

And at last the Jews said: "No more." From then on, and into history, the Jews of Israel had learnt to fight. They fought brutally (but how do you fight daintily?), they drove

peaceful Arabs as well as murderous Arabs off the land, they stained their shields with shameful blood at Dar Yassin, and still stain them with their behaviour towards Mordecai Vanunu, but they have taken an eternal vow that they will never again go quietly to their deaths, and if they go to their deaths at all, they will take their killers with them.

And that is why absurdities like the banning of the Cohen-Haddad marriage are tolerated, to tell the world that Israel is a country that has her own way of doing things, and that some of those things are ridiculous, and some are bad, and some are both at the same time.

So when the Knesset breaks up in shouting and almost with fistfuffs, just because King David's crown is thought to be besmirched, there is a reason for the shouting though King David has been dead for thirty centuries. I repeat that I would not wish to live in Israel, and not only because I sometimes like a ham sandwich and don't like to be stoned for breaking the sacred sabbath. That, of course, must make Mr Cohen and Miss Haddad very cross, and so would you and I be in their circumstances. But the trouble with a country like Israel is that it has to be everything or nothing: the Jews did not become a nation in order to banish ham, but in becoming a nation ham was accidentally banished, and the fact is that the absurd food superstitions have to be obeyed, however irritating. (But then, it is still true that Israel only has to lose one war to disappear for ever.)

However irritating, Israel and its Jews will never again be slaughtered by madmen, or for that matter by perfectly sane ones. But that was not a decree coming from the United Nations (a fat lot of use that would be), but a statement from the Jews themselves, and if they come to blows over the behaviour of King David, it shows at least that they take their history seriously. When shall we see fighting in our Parliament over the behaviour of William the Conqueror or Owen Glendower? (I don't think Dennis Skinner would really fit the bill.)

I am sorry for the Cohen-Haddad marriage: happily, it has now been solemnised. Chief Rabbi or no Chief Rabbi. But since the Chief Rabbi refuses to recognise it, the pair cannot claim social security benefits. Go and tell King David that. But beware of the certainty that someone else will say the opposite.

Bernard
Levin

Royal tips

THERE HAVE been plenty of suggestions that the Prince of Wales talks to his plants. Next month, however, he will be talking about them — in a lecture on the gardens at Highgrove. His Royal Highness has been signed up by the National Trust for its centenary lecture in the Queen Elizabeth Hall, London.

The main lecturer will be Rosemary Verey, a gardening consultant who has been advising the Prince at Highgrove for many years. But Verey says that His Royal Highness, who has agreed to introduce the lecture, will participate as well. "It's really very exciting for me to be doing it with him. We are going to have a rehearsal together beforehand," she says.

Chances are that the lecture might develop into a sort of Royal Gardeners' Question Time. Buckingham Palace confirms that the Prince will be on hand. "Basically people are going to ask Rosemary Verey questions," said a spokeswoman. "But he might answer one or two of them, you never know."

has his own tools. He digs his own holes and plants his plants himself. He has a great eye for design and is always wanting to go into new projects." But talking to plants? "No, of course he doesn't talk to them. He just loves his garden and he really works at it."

● Be warned all Valentines venturing down London's Park Lane



Verey: potty about plants

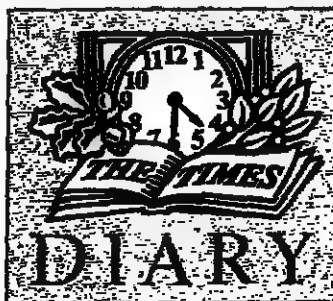
this evening. Drunken Cossacks will be at bay, having spilled out from the War and Peace Ball at the Dorchester, where Count Nikolai Tolstoy and countrymen will be whooping it up in period dress.

Rubber ball

HIGH HEELS and leather will be a common sight among visitors to an art exhibition due to start touring in April this year. The first fetishism exhibition starts at the Brighton Museum, providing art with the opportunity "to explore the concept of fetishism".

Among the exhibits which can be mentioned are a series of fake cows' udders by an artist exploring the "metaphorical resonance of udders". Other exhibits include animal organs preserved in jars, and balls of human hair and toenails preserved in polyurethane. There is a basin in a briefcase which "conjures up a sinister sexuality", according to its creator, Adrian Piggo, a specialist in coloured toilet rolls. The organiser, London's South Bank Centre, confirms that taxpayers are helping to fund this no-doubt essential show.

● Yet another member of the Douglas-Hamilton clan has landed in trouble for failing to resist the urge to fornicate himself before



driving. Scotland's Transport Minister Lord James Douglas-Hamilton has seen three of his four brothers convicted for drink-driving related offences over the past couple of years. Yesterday, Anthony Buchanan-Watt, who is married to the minister's first cousin, lost his licence after admitting driving while over the limit.

Just Kuwait

YASHMAKS are flying in New York over a plagiarism suit. The plaintiff is a British citizen who wed a Kuwaiti diplomat and wrote a book (never published) about her unhappy marriage. Frederike Monika Adsani claims her story bears an uncanny similarity to the bestseller *Princess: A True Story of Life Behind the Veil*, by Jean Sasson, as well as to its sequel. She

says she showed it to Sasson's New York agent four years before her book was published.

"The chances of these books having been independently created in this case are about as likely as a team of monkeys coming up with Shakespeare by pounding typewriters," says Adsani's lawyer. "It's a frivolous claim," retorts the other side.

Coincidentally

THE O.J. SIMPSON trial may be in full flow, but it hasn't prevented the footballer's defence lawyer, Alan Dershowitz, from producing his first novel: a "compelling legal thriller" concerning a basketball hero who escapes conviction for rape.

Dershowitz is not cashing in on the trial, insists his publisher. "The publication date later this month is quite fortuitous."

All Rhodes

BILL CLINTON will be gratified to see that his enthusiasm for student protest while a Rhodes scholar at Oxford in the 1970s is being maintained by the current crop of radical young things. The class of '95 is going on hunger strike.

Around 15 American Rhodes



scholars, about a third of the current group, are fasting from tomorrow to draw attention to recent legislation in California to withdraw schooling and healthcare from illegal immigrants. The strike will last three days.

Even this, it seems, is too much for those scholars who are aware of the problems Clinton had all those years after his anti-Vietnam War demonstrations. "Some are aware of their political careers," admits organiser Eric Garcetti. "They don't want to participate because they are not sure how it will reflect in the future."

P-H-S

Reject Europe's conceit

Woodrow Wyatt
says immigration
fears are real

In last Summer's Euro parliament campaign, John Major concentrated on our relations with the EU; Labour and the Lib Dems concentrated on local grumbles, especially VAT on domestic fuel. The Tories were reduced to 19 seats out of the 57 available. Labour won 63 and the Lib Dems two. For the sake of a mid-term kick at the government, insular British voters got MEPs whose views on subservience to Brussels are almost the very opposite of their own. Then the voters were not concerned with the real and complicated issues; now they begin to be, and would like to hear them properly debated so they can understand the direction we are heading and reverse course if they dislike it. Normally, Cabinets disagreeing lose respect, but not over Europe. Before the 1973 referendum on the Common Market, the varied but publicly expressed views of political leaders across the parties were valued contributions, helping voters to clearer thought.

Messrs Clarke, Heseltine and probably Hurd favour a single European currency and closer political union, claiming that this could happen without a federal government and destruction of national independence. By 2000, the EU will have some 20 members, with national economies ranging from rich to very poor. Nations alter their interest rates, exchange rates and major taxation in response to internal inflationary or disinflationary pressures, of which many are intertwined with the need to remain competitive in world trade. But with a single currency there can be only one authority: the European Central Bank, doubtless based on the German Bundesbank, taking these decisions.

Similarly, interest rates are determined centrally in the 50 American states, although local taxes vary. Tax collected at the centre pays the richer states to subsidise the poorer. This is precisely what would have to happen in the EU. Britain would be obliged to subsidise not merely its own poor, but the far more desperate poverty elsewhere.

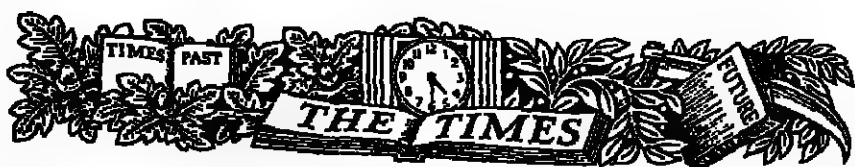
The odd men out in the Cabinet have started a useful debate. They stop well short of official Labour policy, which, *inter alia*, would ruinously end our opt-out from the social chapter; but the logic of their approach inevitably ends in federalism. The Labour Party dare not have an open debate among its leaders on the single currency, because its divisions are much deeper. Fifty MPs defied the Labour whip on Maastricht, and 40 on the EC Finance Act.

Public interest has been sharply increased by growing awareness that EU courts, using Continental law, are overturning not just our legislation but the decisions of our courts, based on wholly different English and Scottish law. It is intolerable that a Court of Human Rights, where the judges are not lawyers, should demand compensation for Peter Welch, the cocaine smuggler and dealer sentenced to 22 years' imprisonment in 1988, as well as insisting on the return of his forfeited £59,000 of illegal profits plus £14,000 for his legal expenses. The same court has ordered us to treat part-time workers as if they were full-time, ruling that not doing so discriminates against women. If that is accepted, many employers will have to fire part-time workers or use machines.

The Government has rejected the contention of Mr Wardle, late of the Home Office, that we are about to lose control over immigration. The Government relies on a declaration appended to the Single European Act for its prerogative of maintaining immigration checks at our sea and airports. The European Commission fights to end them, claiming they are against EU law, and a European Court might agree. The British were not consulted over the large-scale post-war immigration from countries recently given independence. If they had been, they would have resisted it.

So far, apart from some groups of Muslim fanatics, most immigrants have become good integrated British citizens. But if we take more there will be a violent backlash against ethnic minorities, as their responsible leaders recognise. Peter Tompkins was formerly in charge of immigration at the Home Office. He asserts that the annual rate of new immigrants exceeds 100,000 — double the official figure. On top there are probably half a million illegal immigrants now here. If we are additionally forced to take millions of those entering the EU through its badly policed frontiers from Morocco, Algeria, Russia and elsewhere, public fury will explode. This issue ought not to wait until the 1996 inter-governmental conference; it should be settled soon.

Before the 1973 referendum, a government White Paper said the proposition was to enter a trade association, not a political union. Most of us wish it had stayed that way. Some wish to surrender yet more power in the false and defeatist belief that we must, just to survive. John Major vows to roll back the powers seized by the Commission. A few Tory and most opposition MPs disagree. But Major will succeed: he gauges the national mood correctly.



BALLADUR'S LULLABY

Will France tire of this conciliatory bureaucrat before May?

To judge by the campaign platform which he presented yesterday, Edouard Balladur calculates that the image of prudent manager of a nondisruptive programme of cautious change, which has served him so well as Prime Minister, will see him safely into the Elysée in May. The presentation itself was low key, not to say boring: for an hour, M. Balladur read stolidly on through his programme before taking questions.

On the main questions of policy — the economy and France's attitude to Europe — which will bulk largest in the presidential race, he sprang no surprises. At 3.3 million, unemployment has become a highly charged issue clean across the electoral spectrum; but M. Balladur's pledge to reduce the total by a million over five years represents little more than what, with the French economy back on a path of robust growth this year, is likely to happen anyway.

Only on the constitutional front did the Prime Minister make a pitch for the many voters whose disapproval of the whole structure and conduct of French political life is repeatedly manifested in protest votes for populist politicians of all political hues. But even there, his support for a single seven-year presidential term and for the wider use of referendums to "broaden democracy" was already firmly on record. The Prime Minister has so commanding a lead in the polls that it currently seems unobtainable; but hopes are rising among his rivals, both in the Gaullist camp and even among the Socialists, that France will after all decide that its favourite mandarin-turned-politician is more than a touch of a bore.

Such moments of revolt have occurred before. *La France s'ennuyait*, it was famously remarked when Louis-Philippe was dethroned in 1848. Charles de Gaulle, whose respect for French politics was minimal, used to grumble that the French were good at making revolution, but hopeless when it came to evolutionary reform. M. Balladur is, moreover, resolutely bent on the thankless task of reducing France's budget deficit. That is essential to his paramount goal of securing European monetary union by the

earliest possible date; but the huge cuts in spending implied rule out any sweeteners for the electorate.

His main rival on the right, Jacques Chirac, says that France is being "led by sleepwalkers", and claims that M. Balladur's brand of bureaucratic conservatism will never offer France the radical — but vaguely defined — changes the veteran Gaullist leader claims the country needs. From the protectionist wing of the right, the outsider Philippe de Villiers is offering steep tax cuts and accusing M. Balladur of having thrown away the opportunity created by the Right's triumph in the 1993 parliamentary elections.

Yet a "one France" theme runs through all this year's political platforms, suggesting that M. Balladur's emphasis on conciliation is perceived by all candidates as hard to beat. To his lacklustre slogan, "Believing in France", M. Chirac has opposed the hardly more eye-catching "France for Everybody". The veteran former prime minister Raymond Barre, pondering a centrist challenge, has come up with "a new social contract". No politician has forgotten that it was with the misleading but winning slogan, *La Force Tranquille*, that President Mitterrand claimed the Elysée for socialism in 1981. On the left, Lionel Jospin won this year's primary contest because he was perceived as "safer" than the abrasively leftwing Henri Emmanuelli.

M. Balladur can be expected to try to sidestep all challengers on the right by insisting that the issue is still the rejection of socialism. But the main contest lies further to the right. For all its well documented capacity to self-destruct, the Right still seems unlikely to lose an election which the socialists could win only by default. But this campaign will force into the open a gulf between pragmatists and radicals, who for years have cohabited within the Gaullist movement. The really big political issues, such as what France really means by a non-federal approach to European integration, may have to wait on what will be an extensive post-electoral realignment of the centre and right of French political life.

PADDY'S SHOWDOWN

Labour has spurned a chance to embarrass the Government

If ever there were an opportunity for the two main Opposition parties to outwit the Government, the time must be now. The Conservatives are, technically, running a minority administration. Labour and the Liberal Democrats agree on most issues and on at least one — Europe — they have every chance of wooing the Tory rebels to their side. It is a sign, therefore, of how much common sense is still subordinated to party wrangling at Westminster that the two parties could not agree on a form of words that would embarrass the Government in yesterday's debate.

Each side, of course, blames the other. The centre party, whose debate it was, decided to make a referendum on further constitutional change in Europe the subject of its motion. A referendum has the merit of attracting support from both sides of the European argument: it is one of the few policies on which Paddy Ashdown agrees with Teresa Gorman. But it was a deliberate challenge to Labour, which has been inching painfully towards the idea of consulting the people.

Tony Blair's latest pronouncement on the subject sounds suitably stentorian until the end, when he reveals how wary his party still is of making a firm commitment: "We have made clear that where important constitutional arrangements are at stake, the people must have their say. As we have said over and over again, if a referendum is necessary for that to happen, we will consider it" (the italics are ours).

Considering it is all very well, but what voters want is a promise. Anything can be

considered and then rejected. The trouble is that not all of Mr Blair's party are as keen on a referendum as he is: either, like Gordon Brown, because they fear that the result would go the "wrong" way, against further integration, or because they dislike referendums, full stop. Maybe Mr Blair will have his way, and a commitment to a referendum will find its way into his manifesto at the next election, but in true Westminster tradition, Labour resents being bounced into such a pledge by another party.

This is not, however, the explanation that Labour spokesmen give. They complain that the motion was too vague, that the Liberal Democrats did not consult them enough and that the Government's divisions on Europe could have been better exploited by a different motion altogether. A row has apparently broken out within the Liberal Democrats too over how such an opportunity to embarrass the Government was squandered.

The truth is that the Opposition parties have still not lost the habit of being keener to wrongfoot each other than to make common cause against an unpopular Government. Mr Ashdown could not resist reminding the public that his party's democratic credentials were stronger than Labour's. Labour's inability to agree on a referendum has indeed been exposed by the Liberal Democrats, but meanwhile the Government has sailed through a day that could have been highly embarrassing. If the Opposition parties really do want to make the most of the Conservatives' current weakness, they will have to do better than this.

CROWN AND GOWN

Who should decide who sits on Regius chairs?

Having just voted injudiciously to abolish its system of entrance examinations, Oxford University has turned its attention to matters seemingly more arcane. Oxford has joined forces with Cambridge in a proposal to Downing Street on the reform of the method of appointment of Regius professors. The chairs are nominally in the gift of the monarch of the day; in practice, the choices are made by the Prime Minister.

Put simply, the universities now want greater — if not absolute — control over the process. Yet John Holroyd, John Major's appointments secretary, responded to the approach in an ill-judged manner, insisting that in the matter of appointments to Regius professorships Downing Street "must exercise the Royal Prerogative in a real sense and not as a mere formality".

By the mode of their appointment, as well as by their historical link to the Crown, the value of Regius professorships has come to be accounted at Oxford and Cambridge as greater perhaps than that of other professorships. If this is understandable, however, then so also is the concern which has coaxed the two universities into the matter. Awkward questions have been asked in recent years (and in some cases even earlier): is the system of appointments even fairer? Is the system of appointments even better? And is it the ground for "political interference" too fertile for comfort?

The first Regius professorships — in Civil Law, Divinity, Greek, Hebrew and Medi-

cine — were established in the 16th century by Henry VIII. Queen Victoria instituted the two newest chairs (which bear her stamp in all respects), in Ecclesiastical History and Moral and Pastoral Theology. But it is the Regius chair in Modern History (set in place by the less than anglophone George I) which has been the usual suspect when there is talk on High Table of Regius rights and wrongs.

Reformers suggest that on the first principles of academic freedom alone the appointment of professors is not a prime minister's proper business. Many would not dispute that. Equally, it might be suggested that by their singular nature, Regius professorships are not best analysed by principles from another context. The link between the ancient universities and the Crown is personified by the Regius professor. This bond was intended to reflect the special affiliation of our academic institutions to the *civitas* whose needs they serve.

Ironically, the modern Prime Minister of whom the academic establishment was least fond — Margaret Thatcher — played her Regius part in the best spirit. Ideally, the elevation to a Regius chair of a scholar of distinction should be the product of a process of consultation between Crown and gown. Mr Holroyd is wrong to treat the matter as one of blunt prerogative alone. The truth is, of course, that unless the Crown's power is also used discreetly, there may tomorrow be no prerogative left to exercise.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Dismay over the discarding of an air chief marshal

From Sir David Goodall

Sir, The retirement forced on Air Chief Marshal Sir Sandy Wilson (report, February 11) makes an interesting contrast to the unrepentant complacency of those heads of privatised undertakings who have recently awarded themselves salary increases running into six figures without any noticeable increase in the quality of their service to the public or apparent regard for the welfare of their own employees.

No doubt it is unseemly in a senior officer, at a time of defence cuts, to allow over-lavish expenditure on an official residence (of which however he is only the temporary occupant). But as an error of judgment it pales into insignificance beside the apparent insensitivity of the chairman of British Gas and BT.

The astronomical financial rewards claimed by heads of major firms and former public utilities are not just feeding the politics of envy. They have intensified the serious doubts felt about the kind of society which 16 years of Conservative government have created.

If Sir Iain Vallance of BT, for instance, were to fall seriously ill, his life would be dependent in hospital on nurses (not to speak of junior doctors) earning significantly less in a year than he pays himself in a week.

Is this really a sensible differential? Does it reflect the kind of society "at ease with itself" which Mr Major wants to create?

The Conservative Party has been agonising over the reasons for its drastic loss of support. What does the party now profess to conserve? Those who lead it should reflect that a philosophy of maximum personal profit for those who can get it, with the bottom line as the measure of every form of human activity, is a radical impoverishment of the old Conservative commitment to free enterprise: the latter was tempered by a sense of public service, a respect for tradition and an awareness of responsibility for the whole community.

If our present leaders show some sign of returning to these now out-moded Conservative attitudes, they may recover some electoral support. I doubt if making an example of Sir Sandy Wilson will help.

Yours etc,
DAVID GOODALL
Greystones,
Ampleforth, York.
February 11.

From Air Chief Marshal Sir Anthony Skingsley, RAF (retd)

Sir, I hope that many of your readers will have been appalled, as I was, at the hounding out of the service of Air Chief Marshal Sir Sandy Wilson over the money spent on his official residence.

Not that I defend the actual sums spent on his — or other — houses. These sums are difficult to justify in the current budgetary difficulties. But no one should imagine that officers are permitted to authorise this sort of expenditure on their houses.

Expenditure of this size would have had to be agreed by higher authority, including civil servants who are the guardians of the public purse. It may be that Sir Sandy, together with others, deserves some censure. But to be singled out for public disgrace, and forced to resign, despite a lifetime of loyal and distinguished service?

From 1987 to 1989 I lived in Sir Sandy's previous residence in Germany. There are no VIP quarters at HQ RAF Germany; all senior visitors stay with the C-in-C. The constant stream in my time included three defence ministers, the Parliamentary Under-Secretary, a good chunk of the Defence Committee, numerous senior Germans and a host of VIPs from almost every country in NATO.

I did not begrudge this; we got through a great deal of work in my house in a very civilised way, and furthermore the Alliance's unique integrated military structure has to be nurtured; commanders from different nations need to get to know one another. It did, however, make almost limitless demands on our time. My wife has always said: "I never thought of it as my home."

Yours faithfully,
ANTHONY SKINGSLEY
c/o National Westminster Bank,
West Malling, Kent.
February 12.

From Professor Sydney Brandon

Sir, The British Government is poised to achieve what the Luftwaffe failed to do — destroy the Royal Air Force on the ground. The enforced resignation of Air Chief Marshal Sir Sandy Wilson is the final straw.

The running down of support services — including the vital engineering and medical services, wholesale redundancy, lack of promotion prospects and the severe reduction in flying hours — has drastically

lowered the morale and effectiveness of the service. Someone to clean the footwear of senior officers, facilities for official entertainment and decent mess arrangements for all ranks are spoken of in pejorative terms as "perks". Surely a senior officer who wastes his time on menial tasks should be court-martialled for negligence.

Saddest loss of all perks is the assurance that a serviceman's family can obtain medical care wherever in the world they are serving. The RAF medical service is to lose its remaining hospitals in the UK. There will be no service care for families of retired servicemen and the medical specialties are to be restricted to those directly necessary for immediate deployment in war. In fact they will be insufficient to cope with present needs, let alone a major crisis.

Surely there is sufficient wisdom in Parliament to stop this folly and ensure that we retain a viable air arm.

Yours sincerely,
SYDNEY BRANDON,
10 Holmfild Road, Leicester.
February 11.

From Mr Noel Falconer

Sir, The problem is not the cost of housing air officers (air commodore and above) but the number of them: 150, with nearly 400 group captains, to oversee some 40 combat units. There is similar over-provision in the other services. All are the responsibility of the Secretary of State for Defence.

I don't know if the wrong man resigned. But the right one didn't.

Yours sincerely,
NOEL FALCONER,
223 Bramhall Moor Lane,
Hazel Grove, Stockport,
Greater Manchester.
February 10.

From Mr Peter Lewis

Sir, The manner in which the Secretary of State for Defence has handled the discarding of Sir Sandy Wilson has been astonishing. Pray that the soldiers, sailors and airmen whose destiny is held in fee by Mr Rikkind's Ministry are never tempted to emulate his brand of moral fibre. Such lack of fortitude becomes anyone even remotely associated with our national defence.

Yours faithfully,
PETER LEWIS,
30 Dan-y-Graig, Pantmawr, Cardiff.

From Mrs Georgina Wright

Sir, Mr Howe gives us the theory on the power of the European Commission, not the reality. As someone who has sat behind both a UK flag (as a British official) and a Commission nameplate (when seconded to the European Commission), I can assure him that the power of decision rests firmly with the national governments.

If the British people do not like what is being decided in the European Union, then it is to the British Government not to "Brussels" or "the Commission" or "Europe" they should address their complaints. Anti-European coverage in the media and ill-informed blame of "Europe" for all our ills do not help British representatives negotiate good deals in Brussels.

In fact, despite this, the UK gets its way remarkably often (on opt-outs, the budget, on subsidiarity, on fraud). There has to be give and take, but that is principally between the governments of the EU, not between Britain and some mythical foreign body called "Europe".

Yours faithfully,
G. S. WRIGHT,
49 Sheen Road, Richmond, Surrey.

Commission's powers

From Mr Anthony Kinch

Sir, Mr Martin Howe (letter, February 7) is right to explain that the power of the European Commission to propose legislation includes the power to withdraw a proposal at any time before it is adopted by the Council of Ministers of the European Union.

His letter does, however, beg the question why the Commission was ever given the powers it has by the member states. If it is not the servant of the member states, it is certainly their creature.

The member states recognised that nothing ever happens in inter-governmental co-operation, and that an independent institution was needed to ensure that the member states made good the promises they made to each other in the treaties they signed.

Having created the Commission, the member states could just as easily abolish it: or could they?

Yours faithfully,
ANTHONY KINCH,
36 Greenways, Beckenham, Kent.
February 7.

Plight of the Karen

From Dr Phillip Ambler and others

Sir, In our capacities as two doctors and a civil engineer, we were in Burma last November with the Karen, carrying out eye surgery and advising on hydro-electric schemes on a voluntary basis.

We deplore the Burmese army's attacks on the Karen and the fall of Manerplaw, their capital (report, January 28).

The Karen are a gentle, peaceable people who have been forced to fight for their freedom. In late November they put forward a peace initiative, but in vain. The fragile ceasefire was ended in early December with Burmese gunfire. The Burmese record on human rights is dismal and they appear to have no genuine interest in peace.

HMS Caroline

From Mr Robert R. Rodwell

Sir, Far from being inappropriate for HMS Caroline (as Sir Philip Goodhart, a former Northern Ireland minister, suggests in his letter of February 8) Belfast harbour will continue to offer a wholly fitting setting for the Jutland veteran, berthed there for more than 70 years.

With the harbour's Abercrombie basin earmarked as the site of a maritime museum, as part of the comprehensive Lagan-side redevelopment now proceeding, the light cruiser should very properly remain at the heart of a city with great shipbuilding and naval traditions.

Belfast boasts many more tourists than Birkenhead, for which Sir Philip

argues as a "plainly possible" permanent home for HMS Caroline on the basis that she was built there in the Cammell Laird yard. On that basis, please could we have HMS Belfast — a larger Second World War cruiser built here in the Harland and Wolff shipyard — towed back from the Thames?

What is sauce for Cheshire geese should be sauce for Ulster ganders.

Yours faithfully,
BOB RODWELL,
86 Shore Road,
Ballyhalbert, Co. Down.
February 8.

Letters should carry a daytime telephone number. They may be faxed to 0171-782 5046.

Pressure on visa office in Moscow

From Professor Donald Rayfield

Sir, I loudly add my voice to Mr Alan Baker's protest (letter, February 7) at the obstructiveness of the British consulate in Moscow. I have many times over the last three years been there to offer moral support to friends and academic visitors whom we have invited for short periods to the UK, and I have been appalled at the utter shambles. It is not merely that staff are overwhelmed by the numbers of applications: they have an absurdly cumbersome system for processing applications.

Applicants are publicly asked intimate questions about their motives and family circumstances, or they are invited into a "cell" for an interview which is conducted like a police interrogation. Unnecessary and impossible documentation is demanded: visas are refused on the most irrational grounds.

All the hurdles that used to be put in the way of the Russian visitor by the Communist Party and the Soviet authorities are now manned by the British authorities. I have been thoroughly ashamed by the spectacle.

At a time when the Russian consulate in London presents what is almost a smiling face, the surly manners of our consulate are an embarrassment (not to mention an economic loss) to our country.

Yours sincerely,
DONALD RAYFIELD,
University of London,
Department of Russian,
Queen Mary and Westfield College,
Mile End Road, E1.
February 7.

Getting into Oxford

From Dr J. S. Rowett

Sir, You were taken to task by Dr George Smith (letter, February 9) for your editorial on Oxford entrance procedures (report, February 10, "Oxford entrance exam is scrapped"). His strictures on assertion, overcoming analysis apply more accurately to his own letter than to your editorial of February 4.

It is quite misleading to claim that "feedback from schools is overwhelmingly clear". My own experience as a tutor for admissions over the past three years suggests that there is a considerable diversity of opinion amongst schools over the merits of the entrance examination, and no simple division between independent and maintained schools. That diversity of opinion has been apparent in public comment by schoolteachers on our recent deliberations and in letters to me and to other colleagues.

Dr Smith notes that Oxford admits more applicants from independent schools than from the maintained sector and asserts that there is either an immense disparity in talent between the two sectors or our admission procedures have been at fault. He omits to mention that over 90 per cent of those admitted have A-level grades of ABB and above. Academic merit is already the sole basis of our admissions decisions.

The difference to which Dr Smith draws attention may be evidence neither of diversity in basic talent nor of faulty admissions practices but rather of the academic excellence achieved by many schools in the independent sector. A similar standard is, for example, evident in the maintained sector in Northern Ireland.

The need to raise academic standards across the maintained sector to the level of the best schools and not to engage in the misplaced social engineering in admissions policies that Dr Smith appears to favour.

Yours faithfully,
J. S. ROWETT
(Tutor for Admissions),
Brasenose College, Oxford.

Emerging markets

From Mr James Sinclair

Sir, I love the vast generalisations made by Anatole Kaletsky in his article, "Why Mexico may have done the world a good turn" (Economic View, February 2). He is, however, misleading readers with his claim that all emerging markets are overvalued.

To throw in Brazil and Argentina, as he does, appears to overlook not only the underlying characteristics (and potential) of each economy, but the current valuation of each market.

He also omits to remind readers that one reason for their growth is the low base they started from; thus the fact that they must revert to previous level is not quite that obvious.

It is, I suppose, a consolation to know that Brazilian reserves are higher than the UK's.

Yours truly,
JAMES SINCLAIR,
23 Great Winchester Street, EC2.
February 6.

Underhand tactic

From Mr D. J. Groot

Sir, I am fed up with writing letters to you on diverse subjects only to have them politely refused. To ensure publication I have arranged for this one to be leaked.

Yours faithfully,
DON GROOT,
Mulberry Tree Cottage,
56 Bridge Street,
Walton-on-Thames, Surrey.

OBITUARIES

RALPH MERRIFIELD

Ralph Merrifield, archaeologist and former Deputy Director of the Museum of London, died on January 9 aged 81. He was born on August 22, 1913.

RALPH MERRIFIELD did more than anyone else, both by example and influence, to put the archaeology of London and its environs on a firm footing. His first book, *The Roman City of London* (1965), brought information gathered from postwar excavations and observations of the capital, together with earlier records, to produce a masterful historical synthesis and topographical gazetteer.

This survey, the result of research carried out largely in his own time, was a landmark in the study of Roman London. It brought the subject to the attention of a wide audience and established Merrifield's reputation as a leading authority on the early history of the capital.

His first important paper on new discoveries in London had been published in 1962. It was a study of Roman coins found by building workers in the bed of the Walbrook, the stream that bisected Roman London, when archaeologists were no longer allowed on the sites. Other more general but indispensable publications followed: *Roman London* (1969) which extended his researches beyond the City and *The Archaeology of London* (1975) which surveyed the region from the Stone Age to the Dark Ages.

Ralph Merrifield's father died when he was three and he was brought up by his mother, who went back to teaching to provide for herself and her son. Educated at Vardean



Grammar School, Brighton, he gave up the chance of going on to university to become an assistant at Brighton Museum in 1930. Studying in his spare time, he took a London external degree in anthropology five years later.

He served in the RAF during the Second World War interpreting aerial photographs. In 1944 he served in India and Indonesia.

After demobilisation he returned to his job at the

Brighton Museum: in 1950 he was appointed Assistant Keeper to the Corporation of London's Guildhall Museum. He arrived in London at a time when archaeologists were attempting, in extremely difficult circumstances, to salvage what they could of the remains of Roman and medieval London from a city more than a third destroyed by German bombing and which now faced extensive redevelopment. These campaigns eff-

ectively culminated in the discovery by Professor Grimes in 1954 of the Mithraeum close to the Walbrook.

As Deputy Keeper of Guildhall Museum from 1960 to 1975 Merrifield was much concerned with the preparation of the Prehistoric and Roman Galleries for the new Museum of London in the Barbican, which was brought into being by the merger of the Guildhall and London museums.

From the outset of his career he was a firm believer in the need for what he termed "archaeological substance" to support ideas about the past. This to a large extent explains his Herculean efforts both at Guildhall, and later the Museum of London, where he was Deputy Director between 1977 and 1978, to ensure that archaeological organisations were established in London which could deal with the destruction caused by the redevelopment of sites.

His efforts led to the establishment of the Guildhall Museum's Department of Urban Archaeology for the City in 1973 as well as the setting up during the early 1970s of field organisations for Southwark and other parts of London. These were all brought together as the Department of Greater London Archaeology at the Museum of London in 1983.

During his 28 years at the Museum of London, Merrifield had several spells away. In 1956 he visited the Gold Coast to help establish what was to be the National Museum of Ghana and in 1976 pursued his anthropological interests in the Far East.

In recent years Merrifield, like many, was troubled by the changes imposed on London archaeology by English Heri-

tag and he backed the appointment of the Standing Conference on London Archaeology to gauge their effects.

Retirement from the Museum of London in 1978 left him with more time to write, and among his later achievements were two further books. *London City of the Romans* (1983) was a history of Londinium and its environs drawing widely on the results of the large number of excavations that had taken place in the previous 15 years. *The Archaeology of Ritual and Magic* (1987) reflected his interest in folklore and religion and was written in the hope that it would correct what he termed, "the tendency of archaeologists to let evidence for ritual activity sink without trace".

He published many other papers and returned to the study of the Walbrook Valley in the Roman period. Here he demonstrated, with intellectual persuasion that, contrary to the view of recent writers, a ritual rather than a secular origin best explained the quantities of metalwork deposited in the stream bed.

Merrifield's powers in no way diminished with age: neither did his commitment to London archaeology. He continued to exercise his wide range of interests and to communicate them through writing and teaching. Less than a month before his death he was in Northampton lecturing to extra-mural students on "Magic Protection of the Home".

Merrifield was elected a Fellow of the Society of Antiquaries in 1951. In that year he married Lyseth Webb who survives him with their son and daughter.

LADY RAMSEY



The Ramseys leaving for the Soviet Union in July 1962

Lady Ramsey, widow of the 100th Archbishop of Canterbury, died yesterday in Oxford aged 84. She was born on September 16, 1910.

JOAN RAMSEY served the Church of England with a dedication remarkable not only for its length, as the constantly present wife of Michael Ramsey, but also for the humour, humanity and independence of mind which she brought to her role.

Born in Lincolnshire, Joan Hamilton — as she then was — spent a significant part of her childhood in Ireland. She developed an attachment to that country which never left her; it troubled her deeply.

It was while she was chautauque secretary to Leslie Owen, the Bishop of Jarrow, that she came to know Mich-

ael Ramsey, then the young Bishop of Durham. He asked her to visit him one day and proposed marriage to her over a cup of tea. They married on April 8, 1942, in the Gallilee Chapel of Durham Cathedral. Their relationship had a devotion and constancy of rare quality. Unfailing in her concern for his every need, Joan nevertheless provided what he regarded as the most important assistance of all: "Clergy wives are very, very, very important, don't you see? They prick the bubble."

Joan Ramsey's determination to treat all people equally was in startling contrast to the domestic regimes she inherited, particularly after Rosamond Fisher's rule at Lambeth. She knew people's names, be they royalty or cleaner. She knew their children's names and their joys and sorrows. She delighted in startling people by her refusal

to accept the detachments of her social elevation. She had a mischievous set of private nicknames, affectionate towards some, scurrilous towards others, and an ability to caricature snobbery or pomposity with short and devastating phrases matched only by a clarity of vision concerning Church affairs and rivalries. She was always a champion of the underdog.

The one huge and privately-born sadness of her life was their failure to have children, a sadness she ameliorated by her fun with, and encouragement of, young people wherever she met them all over the world.

The other sadness was the seven years she spent after her husband's death. Always welcoming to a stream of visitors she nevertheless longed, with lively faith, for the "doxa" — the glory — of which he so often spoke.

HENDRIK SCHOEMAN



Hendrik Schoeman, former South African Minister of Agriculture and Transport, died from a gunshot wound on his farm near Delmas, Eastern Transvaal, on February 12 aged 67. He was born in Delmas on June 11, 1927.

AS THE senior member of the Cabinet, Hendrik Schoeman was sworn in as Acting President in 1986 when P. W. Botha made brief and controversial visit to France. As the aircraft took off from Johannesburg airport, Schoeman turned to his grim-faced colleagues and told them: "In my office at 9am. There's going to be a

Cabinet reshuffle." It was typical of a man noted for a broad sense of humour, often as earthy as his farming roots. He spurned formality and once declared: "Only moffies [practising homosexuals] wear cufflinks."

Soon after being elected to parliament in 1966 he was privately rebuked by the Speaker over the unrestrained tone of his speeches. During one in 1977, when he was Minister of Agriculture, he asserted: "No one goes to bed hungry in South Africa." This was at the height of the apartheid era when tens of thousands of people were being forcibly uprooted from their homes under the "black

spot" removals system and Group Areas Act, but there was no criticism of his remark by the National Party.

Two years later controversy did erupt when it was disclosed that he used child labour on his farms and that some workers were paid as little as 80 cents (about 40p at the time) a day. Schoeman had appointed his son Kallie as managing director of his farming interests, which extended for more than 26,000 acres in the Eastern Transvaal, when he joined the Cabinet.

Hendrik Stephanus Johannes Schoeman was born into a farming family with an impeccable Afrikaner political heri-

tage — both his grandfather and great-grandfather were Boer War generals. After school in Pretoria he studied agriculture in the United States.

He then returned home where, with the National Party newly in power, he rapidly expanded the family's estates. He was appointed chairman of several agricultural societies, was made a director of Volkskas, the Afrikaner-controlled bank, and was also a member of the Broederbond.

He was elected to parliament in 1966 and became a deputy Minister of Agriculture two years later and a Cabinet member as the minister in 1972. In 1978 he was regarded as a contender for the leadership of the National Party in the Transvaal. But he withdrew in favour of Dr Andries Treurnicht who was later to break away and form the right-wing Conservative Party.

Schoeman became Transport Minister in a Cabinet reshuffle in 1980 and, under his leadership, trains were desegregated on South African railways. He also became leader of the white House of Assembly in the tri-cameral parliament of separate white, Coloured and Indian chambers.

He resigned from the Cabinet and from parliament in 1986 when his wife Christelle became seriously ill. Soon afterwards he remarked that P. W. Botha's greatest achievement was keeping his Cabinet together after I quit. But it was not too long before South Africa's most autocratic Afrikaner ruler was himself ousted from office by F. W. de Klerk.

His son Kallie found him dead — from what police said was a self-inflicted gunshot wound — in his car among the ripening maize (maize) crop not far from the spot where his eldest son, Christian, committed suicide in 1974. That was a personal tragedy that Schoeman never got over.

Schoeman leaves his wife, his son and daughter.

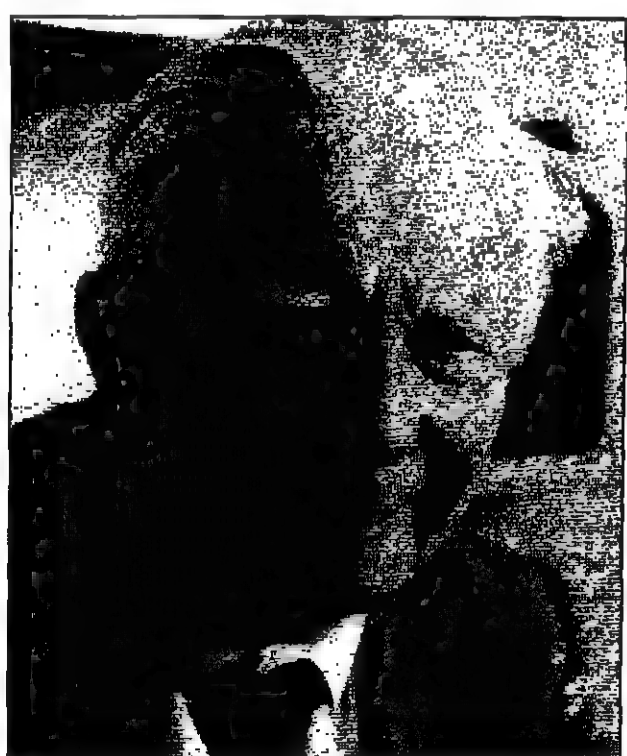
MARIAN BOHUSZ-SZYSZKO

Marian Bohusz-Szyszko, artist, died on January 28 aged 93. He was born in Trokiesmiki, Poland, on February 2, 1901.

WHEN Marian Bohusz-Szyszko arrived in England after the Second World War at the age of 45 he was almost unknown as an artist in this country, although he had established a reputation in his homeland. By the time he held his first one-man exhibition in England in 1959, *The Guardian's* art critic Eric Newton was ready to call him "a great artist," generously adding, "and great, as opposed to competent or interesting, artists are rare."

Bohusz-Szyszko acquired a unique place as a contemporary religious painter. His works were not only admired by the art world but they came to have a symbolic influence on the modern hospice movement, whose founder Dame Cicely Saunders, OM, he married in 1980. More than sixty of his paintings are on permanent display at the St Christopher's Hospice in Sydenham, where he died.

Born while most of Poland was still part of the Russian Empire, he fought in the 1920 war that established Poland's frontiers. He showed an early talent for mathematics and drawing and much of his career, including five years in a German POW camp during the Second World War, was spent in teaching these two subjects. A graduate of the noted Fine Arts School in Cracow, he was an exhibitor in Poland before the war; but, like many émigrés, he had to rebuild his career after coming to England in November 1946. His first London show was at Grabowski's



gallery in 1959 and as he moved from his earlier analytical realism to Expressionist modes he had successful exhibitions in Europe and the United States. Although Bohusz-Szyszko was a brilliant portraitist, he increasingly devoted himself to such Christian images as the Archangels, the Madonna and the crucified Christ. For him, painting was truly the music of God, and that vision sustained him at his easel.

He gave himself with equal dedication to Polish causes, and especially the Polish community in London where he founded the Polish School of Art soon after his arrival in Britain, and played an active role in the Polish Institute.

Marian Bohusz-Szyszko was first married to Zofia Lubienka, from whom he was permanently separated by the war and who died in Cracow in 1973. They had one son whom his father saw for the first time in 20 years when he visited England in 1959. Bohusz-Szyszko originally met Dame Cicely when she came to his exhibition at the Dorian Gallery in 1963 and bought one of his paintings — *Christ Calming the Waves* — believing that it would add to the atmosphere she desired in her then newly launched hospice. Bohusz-Szyszko became artist-in-residence there in 1977 and his paintings continue to have an influence on all who work, or are cared for, at the hospice.

PERSONAL COLUMN

GIFTS BIRTHDAY, CHRISTMAS, ETC. Telephone 0203 500888	TICKETS FOR SALE When responding to... Tel: 071 323 4040 (City)	UK HOLIDAYS BATHING, SUNBATHING... Tel: 071 323 4040 (City)	ANNOUNCEMENTS WEDDINGS, BIRTHDAYS... Tel: 071 323 4040 (City)	Old and Fit NOT Old and Sick Help us make old and fit a fact of life Tel: 071 323 4040 (City)
HORMIES & PASTIMES Tel: 071 323 4040 (City)	TICKETS FOR SALE Tel: 071 323 4040 (City)	WINTER SPORTS Tel: 071 323 4040 (City)	Remember a loved one... Tel: 071 323 4040 (City)	HELPING HOUSE THE HOMELESS Tel: 071 323 4040 (City)
MUSICAL INSTRUMENTS Tel: 071 323 4040 (City)	TICKETS BOUGHT & SOLD Tel: 071 323 4040 (City)	ANNOUNCEMENTS Tel: 071 323 4040 (City)	Remember a loved one... Tel: 071 323 4040 (City)	HELPING HOUSE THE HOMELESS Tel: 071 323 4040 (City)
OVERSEAS TRAVEL Tel: 071 323 4040 (City)	TICKETS WALES & ENGLAND Tel: 071 323 4040 (City)	ANNOUNCEMENTS Tel: 071 323 4040 (City)	Remember a loved one... Tel: 071 323 4040 (City)	HELPING HOUSE THE HOMELESS Tel: 071 323 4040 (City)
RENTALS Tel: 071 323 4040 (City)	TICKETS WALES & ENGLAND Tel: 071 323 4040 (City)	ANNOUNCEMENTS Tel: 071 323 4040 (City)	Remember a loved one... Tel: 071 323 4040 (City)	HELPING HOUSE THE HOMELESS Tel: 071 323 4040 (City)
SERVICES Tel: 071 323 4040 (City)	TICKETS WALES & ENGLAND Tel: 071 323 4040 (City)	ANNOUNCEMENTS Tel: 071 323 4040 (City)	Remember a loved one... Tel: 071 323 4040 (City)	HELPING HOUSE THE HOMELESS Tel: 071 323 4040 (City)
SITUATIONS VACANT Tel: 071 323 4040 (City)	TICKETS WALES & ENGLAND Tel: 071 323 4040 (City)	ANNOUNCEMENTS Tel: 071 323 4040 (City)	Remember a loved one... Tel: 071 323 4040 (City)	HELPING HOUSE THE HOMELESS Tel: 071 323 4040 (City)
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LUXOR TOMB CLOSED.

MR. CARTER'S ACTION.

A regrettable development took place this morning in connection with the tomb of Tutankhamen, as a result of which the following notice was posted up in the hotels here:

Owing to impossible restrictions and disquiet on the part of the Public Works Department and its Antiquity Service, all my collaborators, in protest, have refused to work any further upon the scientific investigations of the discovery of the tomb of Tutankhamen. I, therefore, am obliged to make known to the public that immediately after the Press view of the tomb this morning between 10 a.m. and noon, the tomb will be closed and no further work carried out. — (Signed) HOWARD CARTER.

To the general public this came as a tremendous surprise, but not so to those who knew something of what has gone on during the past four months and the attitude the Egyptian Government recently adopted towards this work.

The story of the events immediately preceding this latest development is as follows:— Less than ten days ago Mr. Carter went to Cairo in order to come to some amicable arrangement in regard to the opening of the sarcophagus with the Egyptian authorities, who, without any real right, were making all manner of demands in this connection. He made what

ON THIS DAY

February 14 1924

Howard Carter's path during the Tutankhamen excavations was never smooth. He complained that he had not the full support of The Times which had bought the world right; he quarrelled with the press because of those rights and was often at odds with the Egyptian authorities.

then appeared to be a mutually satisfactory arrangement. It was agreed that on the opening day, that is, yesterday, the ceremony should take place in the presence of a representative of the Ministry of Public Works, responsible officials of the antiquities service, the members of Mr. Carter's staff, and the leading archaeologists, whom out of courtesy he decided to invite to this important ceremony. This morning was to be reserved for the Press visit, and as soon as the work of recording could be completed the tomb was to be thrown open to duly authorized visitors for 10 days.

Mr. Carter returned to Luxor and made arrangements for the opening. On the day before that fixed for the ceremony he received a notification from the Government that, outside the Government representatives, he could not admit more than 12 people, including the staff. This was not only contrary to the arrangement made at Cairo, but was a direct insult to the leading archaeologists who the Government knew had received invitations.

Mr. Carter had a conversation with the Under-Secretary of State for Public Works on the morning of the opening, and the Government, after some discussion, withdrew its objection, and those originally invited attended the ceremony. In the course of conversation with the Under-Secretary, Mr. Carter referred to the fact that, as an act of courtesy to his collaborators, he had invited their families to visit the tomb to-day — the day of the Press visit. Immediately objection was raised, and the Under-Secretary stated that, while personally agreeable, he must communicate with his Minister at Cairo. Early this morning, Mr. Carter received the following letter from the Under-Secretary of Public Works:—

S.S. Misir, Feb. 12. Dear Mr. Carter, — I regret to inform you that I have received a telegram from the Minister of Public Works, in which he regrets that the arrangement made with the Ministry does not permit the admission of the wives of your collaborators to the tomb tomorrow, February 13. — Yours sincerely, M.A.ZAGHLOUL.



ARTS 31-33

Yves Klein: painter with a genius for the blues



LAW 35-39

Young barristers switch to become solicitors



SPORT 40-44

Barnes back to basics in redefined role

CURTAINS UP ON A NEW ENTERPRISE
Small business 30

THE TIMES

BUSINESS EDITOR Lindsay Cook

TUESDAY FEBRUARY 14 1995

Scholey becomes chief executive as Cairns quits

1,000 Warburg jobs may go

BY PATRICIA TEHAN
BANKING
CORRESPONDENT

UP TO 1,000 jobs are set to go at SG Warburg as part of a cost-cutting exercise revealed yesterday along with the departure of Lord Cairns, the chief executive.

He has been forced to accept responsibility for the failure of merger talks with Morgan Stanley. He offered his resignation to an emergency meeting of the Warburg board at the weekend.

News of his departure came as Warburg issued a profits warning. The shares continued their downward spiral, closing 20p lower at 70p last night.

Sir David Scholey, the chairman, has cancelled retirement plans and is to take over the chief executive's role, heading a new executive committee of five, which will effectively be the bank's chief executive. He said: "The close-knit executive partnership core is the most effective style of management and one I am comfortable with."

In the short term, the bank is expected to begin to scale back its share-trading operation. Instead, it is likely to concentrate on higher-margin business such as share issuing and trading in the shares of larger firms. The cutbacks are expected to come in secondary equities distribution where margins are low.

Warburg was keen to emphasise that the decision to go came from Lord Cairns, that he had not been asked to resign. However, the directors made no attempt to persuade him to stay as chief executive. Sir David said Lord Cairns was offered a job as a senior banker in corporate finance, but decided to go.

Sir David said: "The Morgan Stanley discussions took a very heavy toll on Simon Cairns." He believed the merger would enable him to achieve his long-term strategic



Sir David Scholey, top, and Lord Cairns, who has quit



vision of turning Warburg into a powerful global investment banking group. When the talks failed, he felt as though the ground had been swept from under his feet.

The Warburg board was forced to act to restore confidence after the failed merger attempt and the departure last week of some of its key staff to Morgan Grenfell.

In staff meetings yesterday and in a memo to staff, Sir David attempted to restore calm and set out a strategy for Warburg's future.

In a profits warning, Sir David said that while Mercury Asset Management, Warburg's 75 per cent-owned fund manager, had performed in line with expectations and

some of the investment bank's activities had done well, "the difficult market environment has continued to have an adverse effect on investment banking results".

The results for 1994 will be published in May. Analysts lowered their profit forecasts for Warburg from about £160 million to £135 million.

Sir David said: "What we have to do is to make some changes to revitalise profitability. That can change the shape of certain parts of the business. A number of our businesses will continue to have global coverage and global aspirations. Others may be more specialised, more localised, more discrete to certain areas or industries."

Brandon Gough, a non-executive director and former chairman of Coopers & Lybrand, has become deputy chairman.

Warburg's new executive committee for its investment banking business is made up of Sir David, Michael Sargent, a board director and head of securities, Colin Buchanan, global sales head, Edward Chandler, who had responsibility for Warburg's Dutch and Nordic region business, and Mark Nicholls, joint head of corporate finance. Mr Buchanan, Mr Chandler and Mr Nicholls are to join the Warburg board.

Sir David said he greatly regretted the departure of Lord Cairns.

He said that, under the circumstances, he was pleased to be able to return to full-time investment banking. He is likely to stay in the job for at least two years, hoping to turn its performance around before looking for a chief executive and chairman. He is expected to give up some of his directorships which include the Bank of England, BT, GEC, London First and the BBC.

Photograph, page 1
Pennington, page 25
Loss of sparkle, page 27



The meeting that led to Lord Cairns's resignation was held at Warburg's Broadgate offices

Two more leave in Mulcahy revamp

BY SUSAN GILCHRIST

THE boardroom bloodbath at Kingfisher, the troubled retail conglomerate, continued yesterday with the abrupt departure of two more executive directors.

Nigel Whitaker, corporate affairs director, and Tim Breene, director of strategy, are to leave after a head office review. A total of 40 out of 100 jobs at the group's London headquarters are to be axed.

Sir Geoffrey Mulcahy, chief executive, said that the move was aimed at giving greater power to the retail subsidiaries rather than simply cutting costs. The move is expected to generate annual savings of about £5 million.

The development will once again throw the spotlight on corporate pay. Mr Whitaker and Mr Breene were both on three-year rolling contracts and could receive combined payoffs of more than £2 million.

Their departures come less than three weeks after the ousting of Alan Smith, the former chief executive, and James Kerr-Muir, who was finance director.

Analysts believe that the latest changes make the break-up of the group more likely. One said: "If they are going to devolve power in this way, then people will be even more convinced there is going to be a break-up."

Sir Geoffrey vehemently dismissed such claims, saying that the group centre still had an important role to play. He also denied the existence of a rift between himself and Mr Whitaker. The two have worked together for 17 years, but Mr Whitaker was increasingly seen as a supporter of Mr Smith.

Mr Breene was recruited only last April to head the group's strategy unit. The team is now being dismantled and Sir Geoffrey will resume control of group strategy.

BUSINESS TODAY

STOCK MARKET INDICES

FT-SE 100	3091.1	(-38.8)
Yield	4.24%	
FT-SE All share	1519.85	(-11.00)
Nikkei	18313.85	(+22.51)
Dow Jones	3843.45	(+4.38)
S&P Composite	481.50	(+0.13)

US RATE

Federal Funds	0%	(5%)
Long Bond	5.95%	(87%)
Yield	7.65%	(7.5%)

LONDON MONEY

3-month Interbank	0%	(6%)
Life long gilt	100%	(101%)
Future (Mar)		

STERLING

New York	1.5832	(1.5835)
London		
\$	1.5833	(1.5819)
DM	2.3764	(2.3777)
FF	3.2261	(3.2260)
SP	2.0059	(2.0075)
Yen	164.18	(164.32)
£ Index	78.5	(78.8)

YEN

London		
DM	1.5206	(1.5190)
FF	1.2835	(1.2823)
Yen	96.62	(96.90)
£ Index	82.5	(82.6)

Tokyo close Yen 98.97

BRITISH 15-day (Apr)

£16.50	(£16.70)
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LONDON close

£874.25	(£878.55)
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* denotes midday trading price

Insurance date

Direct Line's new cut-price life insurance arm opens for business tomorrow, thus promising further grief for an industry already tottering under the weight of galloping public discontent and tighter regulatory demands. Page 24

Heavy fall

Shares in Misy's fell heavily after the business software maker agreed to pay a hefty £212 million for ACT Group, its struggling rival. Analysts said Misy's shareholders fled because of the expense of the deal and concern over ACT's past performance. Page 25, Tempos 26

Producer prices fuel fears of rate rises

BY JANET BUSH, ECONOMICS CORRESPONDENT

THE Government yesterday faced more evidence of rising price pressures in industry even as demand on the high street appears to be weakening.

Producer prices charged at the factory gate rose by 0.9 per cent in January, pushing the annual rate of output price inflation to 3.4 per cent from 2.8 per cent in December, according to the Central Statistical Office. This was higher than the City had expected and the news undermined the gilt market amid fear that interest rates may head higher again in coming months.

At the same time, the CBI distributive trades survey showed high street demand weakened in January, with sales volumes falling to a slightly lower level than January 1994.

The latest economic news comes just over a week after interest rates were raised for the third time since the recovery began. The Bank of England noted in last week's Inflation Report that, without the last two interest rate increases, it would have predicted a rise in inflation to the upper half of the Government's target range. However, the monetary tightening since November had "improved the prospect of achieving the lower half of the target range by the end of the present Parliament".

Nevertheless, the authorities will be watching to see whether the pressure on manufacturers of higher raw materials costs eases — some commodity prices have weakened in recent weeks — or whether demand weakens further.

If this were to happen, the authorities may not need to react to the rise in output prices already seen. However, if prices continue to rise, the authorities may need to act, probably through higher rates.

Michael Saunders, of Salomon Brothers, said that the main pressure on prices was coming from strong demand

for British goods abroad, not at home, and that a stronger pound, rather than higher rates, would be most effective. But he noted that the Government's political difficulties make it hard for "sterling to levitate spontaneously".

About 0.4 per cent of the output price increase was due to excise duty increases announced in the mini-Budget in December. However, excluding food, drink, tobacco and petrol products, factory gate prices still rose by a seasonally adjusted 0.5 per cent in January and by 3.4 per cent over the past year. This is the highest rate for underlying output price inflation since November 1991.

Rising output prices reflect continuing increases in raw material costs and particularly commodities. The CSO said that input prices rose by 1.3 per cent in January, a rise of 11.5 per cent over the past year.

High street sales, page 24

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High street sales, page 24

Rank share options set to inflame executive pay row

BY MARTIN WALLER, DEPUTY CITY EDITOR

RANK Organisation, the diversified leisure group, has poured fuel on the row over executive share options with the grant of another 1.4 million options shared out among its seven-strong executive board.

The new options are not exercisable for three years, and under the terms of the company's scheme there is a further condition that earnings growth must also outpace inflation by 2 per cent over the same period.

But they were created a month ago, after the company's full-year figures, and are therefore based on the then share price on the stock market that was some 20p below the current price. Of the seven directors, four, including Michael Gifford, the chief executive, receive 208,840 new options apiece.

Several hundred other managers will also be granted an undisclosed number of fresh options. The grant was revealed in the formal document to shareholders accompanying Rank's sale of 40 per cent of its holding in Rank Xerox, the photocopy, to Xerox, its Japanese partner.

Mr Gifford defended the latest grant, the last under the company's ten-year scheme, due to expire soon. He said: "If management of companies make money out of options, then shareholders do — this aligns the financial interests of the management with those of the shareholders."

A new executive share option scheme, along the same lines of the existing arrangement, has now been created and will be voted on by shareholders at the end of this month.

Most of the directors have already seen substantial benefits from the earlier scheme. Six shared paper profits totalling £1.8 million from previously granted options at prices well below market price.

'It's not so much a product, it's an attitude'

Coke tries Mind over Mango to defeat own-label brands

BY JON ASHWORTH

COCA-COLA unveiled its latest weapon against own-label supermarket brands yesterday — a large, pink, logo-splattered mobile home. The customised van was parked on London's Mall to accompany the launch of a new range of mixed fruit drinks.

Fruitopia, which goes on sale in May, backed up by a £3.7 million advertising campaign, marks the latest attempt by Coca-Cola to expand away from its core brands.

The van, a resprayed Recreational Vehicle dubbed The Fruitmobile, will visit shops and supermarkets to draw attention to the new fruit range, aimed at the adult market, and sold under catchy names such as Mind Over Mango and Banana Vanilla Rapture.

Coca-Cola claims the product is a hit in America, where it made its debut last summer.



The British version has been modified to suit local tastes after extensive market research — although one suspects a visit to a typical high street store may have played a part. Fruitopia, sold in 500ml bottles, bears a suspicious resemblance to Snapple, one of the most popular of a variety of so-called New Age drinks that play to a young, health-conscious audience. It will sell for between 79p-99p. Fruitopia bottles are plastered with Green imagery, using

aboriginal emblems built around three key symbols — mind, body and planet. The label promotes the use of natural ingredients and lack of preservatives, but health freaks expecting a pure juice product are in for a shock. The average juice content is only 10 per cent. The rest is water, flavouring, citric acid, and sugar.

Coca-Cola is unrepentant, claiming similar fruit drinks have just 5 per cent juice on average. Jane Webb, new brand development manager for Coca-Cola Great Britain, hailed Fruitopia as "hip" and "upbeat" — adding "it's not so much a product, it's an attitude".

Officially, the launch is about growing the £6 billion a year UK soft drinks market. Research suggests people will drink 50 per cent more soft drinks by the year 2,000, and Coca-Cola wants to hold its own in an expanding arena.

Dear John,
Bless you for arranging my heavenly
4.64% fixed rate mortgage. I am eternally grateful.
Yours faithfully,
A Bishop

John Charcol's latest mortgage rate of just 4.64% (4.8% APR) will come as an answer to many people's prayers. Fixed until July 1996, it's available for both purchases and remortgages of up to 70% of the property's value. And we can provide up to 95% loans at a slightly higher rate. Miraculously, there are no compulsory insurances, and the full range of repayment options is open to you. For guidance and a written quotation, call John Charcol without delay on (0171) 611 7000, or Leeds (0532) 470338. Or drop in and see us at 10-12 Great Queen Street, London WC2B 5DD.

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Typical Example: A £42,000 interest only mortgage on a property valued at £60,000 repaid over 25 years assuming completion on 15/02/95, 300 years mortgage, repayments of £162.39 assuming a fixed rate of 4.64% (APR 4.8%) until 1/7/96 and further assuming the variable base mortgage rate remains at 4.64% after the initial fixed rate has expired for the remainder of the term. In practice the variable base mortgage rate might differ from this assumed. Total amount payable £31,148.27 calculated to include £295 arrangement fee, non refundable reservation fee of £25, £117.50 legal fee, £189 application fee (including valuation) and £90.77 accrued interest. Limited funds available. Loan subject to status. Loans are subject to the type and value of property. Additional security may be required in the form of a mortgage indemnity guarantee. Written quotations available from John Charcol Ltd. Credit broker fees of up to 1% of the advance may be charged depending on the type of product and credit period. John Charcol is a licensed credit broker. Be sure you can afford the repayments before entering into a credit agreement.

Direct Line opens for cheaper life insurance

By Liz Dolan

DIRECT LINE's new cut-price life insurance arm opens for business tomorrow, thus promising further grief for an industry already tottering under the weight of galloping public discontent and tighter regulatory demands.

The company that became Britain's biggest motor insurer after fewer than ten years in the business, now aims to take on life companies by selling protection-only policies, rather than tacking life cover on to investment products.

A spokesman said: "We don't think other insurance companies have cottoned on to the changes facing the market. Look at what's going to happen to state disability benefits in

April. You're going to need cover for illness and disability, which will no longer be properly covered for by the state.

"We're giving customers a better deal on protection products, leaving them with more scope to make their own investment decisions."

Direct Line dismisses allegations that it will only offer realistic premiums to low-risk customers. "Most people will be paying the standard premium in each category," it says. The standard premium for a male non-smoker, aged 40, for £50,000 whole-of-life cover is £84.02, or £28.69 for a fixed 5-year term.

The company says its prices undercut the market because it will not have to finance a direct sales force that spends most of its time trying to flush out, and sell to, its customers.

Direct Line staff will only be talking to people who want to buy, it says.

Customers are offered a number of options under the umbrella of one Direct Line income protection plan. These include replacement income, lump sum payment or repayment of an outstanding mortgage, depending on individual circumstances.

Death from AIDS is covered, but not disability. Suicides are covered only if they die more than a year after taking out the policy. The upper age limit for all new policyholders is 60, except for whole-of-life insurance, which is available to anyone up to 70.

All staff will receive six weeks' training and will then have to pass a set series of tests before they will be allowed to deal with customers. The

course was devised by Direct Line and has been approved by the Personal Investment Authority, the industry regulator. Staff are paid "a decent basic salary", the company says, thus having no need to hard-sell for commissions.

As with Direct Line's telephone mortgage service, launched last October, the life insurance service will be closed to all but existing customers. "With 2.5 million customers, we've got more than enough to be going on with," the spokesman said.

The mortgage service has been flooded with applicants since launch. It recently had to supplement the initial 100 staff with 50 new employees to cope with demand for its 7.1 per cent variable rate. Most applicants have been remortgaging loans from other lenders.

High street sales show sharp fall, says CBI

By Philip Bassett, Industrial Editor

HIGH street sales fell back sharply last month, according to figures today from the Confederation of British Industry.

The figures are considerably worse than retailers had expected, and suggest that any recovery in consumer demand is still only tentative at best.

They come ahead of the Government's own figures on retail sales, which are due to be published tomorrow. City analysts are forecasting that the government figures will show virtually flat sales growth in January, confirming a slowdown in retail sales in recent months.

However, the CBI's latest distributive trades survey of 15,000 outlets in retailing, wholesaling and the motor trades shows a marked fall back in high street sales.

A balance of 2 per cent of retailers, or those recording an increase set against those registering a decline, said that sales volumes fell in January.

The proportion of retailers reporting higher year-on-year sales volumes was 32 per cent while 34 per cent reported a fall in trade.

This balance compares with a positive figure of 19 per cent in December, and suggests that high street retailers had a much poorer January sales season than some were claiming.

The figure is considerably less than retailers had been expecting, since a balance of 10 per cent had been forecasting growth.

Retailers are expecting

sales volumes to rise in the year to February.

Alastair Eperon, chairman of the CBI's distributive trades survey panel, acknowledges today: "Retail sales growth has once again proved to be weaker than retailers expected, and indeed expectations have not now been met in eight out of the last 12 months."

He says that on an underlying basis, high street trade is still growing only modestly.

The largest increases in sales volumes were reported by confectionery, tobacco and newspaper shops while the CBI says that "marked" reductions in trade were reported by specialist food retailers, chemists and hardware, china and DIY stores.

High street sales were regarded generally as below average for the time of year. Orders fell in January, and are expected to remain flat since stock levels are seen as more than adequate in relation to expected demand.

The poor retail figures caused the overall figures for the distributive trades to fall back, with the balance of companies across the survey reporting an increase in sales volumes dropping back from 33 per cent in December to 14 per cent last month.

Motor traders reported that, roughly as expected, sales fell slightly in the year to January, and remain below average for the time of year. While growth in wholesalers' volumes rose moderately in the year to January, the rise was at the slowest rate of increase since last April.



Room to expand: Regal Hotel Group, the acquisitive hotel owner and manager, promises to continue "its aggressive but measured expansion" in 1995, according to Charles Vere Nicholls, seated, with Nicholas Crawley, managing director, at the Brownsdown Hotel, Rugby. A total of eight hotels were acquired in

1994, expanding the portfolio to 12 properties and lifting taxable profits to £733,000 in the year ending January 1. Profits of £573,000 in the previous 12 months included an exceptional credit of £1.2 million. Earnings eased to £0.6p a share from 0.18p. There is again no dividend. The shares were unchanged at 1½p.

NHL wins fight with rebels over refinance

By Neil Bennett, Deputy Business Editor

NATIONAL Home Loans, the centralised mortgage lender, emerged victorious in its battle with rebel preference shareholders yesterday when an extraordinary meeting narrowly approved plans for the company's reorganisation and a £50 million rights issue.

The company needed approval of 75 per cent of each class of shareholders to put its plans into action. In the event, the crucial vote of preference shareholders was passed by 80.5 per cent of voters. All other votes were passed by a show of hands.

NHL's victory means it will be able to continue lending new mortgages and restore its balance sheet sufficiently to pay dividends again.

The meeting was a culmination of a battle between the company and a group of arbitrageurs who were trying to block the reorganisation. NHL has been lobbying shareholders to ensure that they voted in favour of the proposals. Its work ensured that the vote attracted a high turnout, with 85 per cent of preference holders voting.

NHL's plans were put in jeopardy last month when the rebels, who owned 14 per cent of the preference shares, said they were opposed to the company raising new funds.

Jonathan Perry, NHL's chairman, said: "We always knew the refinancing was right, and it hung together beautifully. It was just exasperating to find oneself having to fight for it."

NHL plans a three-year programme to revitalise mortgage lending. The business started again last August, although it has attracted only several hundred applications. The firm expects its £1.6 billion lending book to continue falling for two years as borrowers repay their loans and new business remains slow.

Tempos, page 26

'Watchdogs pay scant regard to warnings'

By Ross Titeman, Industrial Correspondent

BRITAIN'S industry regulators are failing the public because of their sloppy responses to warnings from employees about companies' shortcomings, according to a Public Concern at Work.

In its first annual report, it says that regulators should accept that it is part of their job to investigate employee allegations of malpractice in regulated industries. In total, 620 concerns were notified to the charity by employees seeking legal advice.

About 49 per cent of cases

concerned alleged financial malpractice. Workplace safety was the next most common cause of concern, followed by public safety. Some 51 per cent of complaints concerned private companies.

Guy Dehn, director of the charity, said that too many regulators paid scant regard to employees who raised concerns.

The public sector also occasioned many complaints, with local authorities and the health service causing most concerns.

Gooda Walker names wait for ruling on damages

By Sarah Bagnall, Insurance Correspondent

A HIGH Court judge will rule today on whether Gooda Walker names are entitled to an early payment of part of their damages arising from last year's successful action.

The judgment has important implications for the 3,000 litigants' chances of recovering part of their losses, which result from an incestuous web of reinsurance contracts for a string of catastrophes, including the Exxon Valdez oil spill and the Piper Alpha disaster.

The Gooda Walker names

estimate that last October's court victory is worth £504 million and last week Mr Justice Phillips, the High Court judge, heard the action group's application for an interim payment of the award. He may agree to the award, but postpone its payment.

An interim payment will ensure the Gooda Walker names have access to the limited pot of insurance funds available to meet names' successful actions. The amount of errors and omissions insur-

ance cover available is significantly less than the amount being claimed by names and, as a result, the funds are being distributed on a first come, first served, basis. An interim payment would also enable the Gooda Walker names to step into the shoes of any collapsed defendants and pursue recovery of reinsurance owed.

The judgment will have implications for the names' ability to recover an estimated £80 million of interest incurred on their losses.

BUSINESS ROUND

SIB warns City over standards

THE Securities and Investments Board has reminded City firms that they face the threat of disciplinary action if they fail to observe high standards of dealing and market conduct. The warning follows reports that the Securities and Futures Authority is studying how market-makers at Swiss Bank Corporation, adviser to Trafalgar House in its £12 billion bid for Northern Electric, came to build up stakes in Northern and Yorkshire Electricity.

The SIB said the use of so-called "contracts for differences" — designed, in this case, to allow Trafalgar to recoup some of its bid costs — could give rise to conflicts of interest, and urged firms to contact their regulators when in doubt. Both Trafalgar and SBC sought extensive guidance before employing the contracts. The SIB is anxious to clarify uncertainty over the use of innovative techniques, without stifling the innovation that goes with a developing market. The SIB said it was not intending to be critical of any party.

US defence jobs go

THE shake-up of America's defence industry continued with the announcement by Northrop Grumman that it will dismiss another 1,100 employees this week. The move is due to the cancellation of a missile programme, the company said. In December, the Pentagon ordered a \$7.7 billion reduction in spending on defence weapons programmes, scrapping Northrop's AGM-137 Tri-Service Standoff Attack Missile programme. Northrop said last September that it would cut 9,000 jobs before the end of this year.

More jobs for Wales

ONE hundred jobs will be created by the first Taiwan-owned company to move to Wales. Ringtel Electronics UK announced yesterday that it is investing £245 million in a factory at Llanarnam Park in Cwmbran, Gwent, producing connectors and other components for the telecommunications industry. This will be the company's first European operation, and its decision to choose Wales is the result of a year of intensive negotiations between the company and the Welsh Development Agency.

New smartcard group

GPT has launched a division to develop smartcard technology and applications. GPT Card Technology will have about 150 employees and operate from new headquarters in Coventry. Smartcards will be created for various everyday uses, including banking and retailing. The group will draw on the technical expertise of GPT's two owners, GEC and Siemens, of Germany. GPT Card Technology has delivered its first smartcards to British Telecom. They will replace the optical cards now used in public payphones.

Metroprotect warning

SHARES in Metroprotect Industries, which makes materials for corrosion prevention, fell to 41p from 59p after the company gave a warning of a lull in current activity and announced the departure of Brian Thomas, the chairman, to pursue personal interests. It said that results in the second half would fall short of expectations because contractors were deferring decisions on significant contracts. Mr Thomas will remain a consultant for two years. He will be succeeded by John Phillips, former managing director of Vernons Pools.

Steel production rises

CRUDE steel production in the European Union rose 5 per cent to 138.9 million tonnes last year, the European Commission's statistical office said yesterday. German output, which accounted for 29.4 per cent of the EU total, rose 6.6 per cent to 40.8 million tonnes. Eurostat said. Italian steel production edged up 1.4 per cent to 26.1 million tonnes, while output in France climbed 5.3 per cent to 18 million tonnes. UK output rose 3.9 per cent to 17.4 million tonnes, while production in the Irish Republic fell 14 per cent to 283,000 tonnes.

High-Point in black

HIGH-POINT, the project management and consultancy group that incurred full-year losses of £442,000 before tax last year, has restored the interim dividend at 0.5p after returning to the black in the half year to November 30 with profits of £221,000 before tax. In the first half of the previous year the company earned £93,000 before tax. UK businesses continue to trade in a difficult and competitive environment, although the engineering activities of Rendel Palmer & Tritton, a subsidiary, held up well.

Trade mission to India

BRITAIN is very much in the lead in India in turning proposed projects into reality. Michael Heseltine, right, the President of the Board of Trade, said yesterday before leaving for the subcontinent at the head of a trade mission that will last three days. Mr Heseltine said that while only 11 per cent of American investment approvals in India had been converted into real business, the British conversion rate was 49 per cent.



TOURIST RATES

	Bank	Bank
Australia \$	1.19	1.19
Austria Sch	13.70	13.70
Belgium Fr	1.36	1.36
Canada \$	2.29	2.29
Cyprus Cyp£	0.773	0.773
Denmark Kr	6.46	6.46
Finland Mk	7.48	7.48
France Fr	6.56	6.56
Germany DM	2.33	2.33
Greece Dr	363.00	363.00
Hong Kong \$	10.70	10.70
Ireland £	1.28	1.28
Italy Lit	882.00	882.00
Japan Yen	169.50	169.50
Malta	0.65	0.65
Netherlands Gld	2.812	2.812
Norway Kr	10.98	10.98
Portugal Esc	200.00	200.00
S Africa Rd	1.50	1.50
Spain Ptas	166.64	166.64
Sweden Kr	11.50	11.50
Switzerland Fr	2.15	2.15
Turkey Lira	1.80	1.80
USA \$	1.53	1.53

Notes for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates set at close of trading yesterday.

LEGAL & PUBLIC NOTICES

0171-782 7344

LEGAL NOTICES

STATUTORY DEMAND
ON the 14th day of January 1995, the undersigned, a duly qualified solicitor, has received from the undersigned, a duly qualified solicitor, a Statutory Demand for the sum of £1,000.00, being the amount of a debt due to the undersigned, a duly qualified solicitor, by the undersigned, a duly qualified solicitor, on the 14th day of January 1995.

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
In the matter of the estate of the late Mr. John Smith, deceased.
Notice is hereby given that the estate of the late Mr. John Smith, deceased, is being administered by the undersigned, a duly qualified solicitor, on the 14th day of January 1995.

ANY person who is entitled to a share of the estate of the late Mr. John Smith, deceased, is hereby notified that the estate of the late Mr. John Smith, deceased, is being administered by the undersigned, a duly qualified solicitor, on the 14th day of January 1995.

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Companies seeing benefits from EWCs

'Works councils work'

By Philip Bassett

EUROPEAN works councils, which the Government opposes for the UK, help companies communicate with their employees, according to a new management survey today.

Brussels is introducing laws to provide for the introduction of European works councils in multinational companies. The UK Government has used its Maastricht treaty social opt-out to avoid their imposition, though many large companies

in Britain are still likely to be required to introduce them.

The study, of 62 companies in eight European countries, is from management consultants at Coopers & Lybrand. It shows that almost four-fifths of those that have already introduced works councils believe they do help communication with employees. Other benefits include improvements to morale and faster implementation of management decisions.

The survey suggests that companies with EWCs tend to consult trade unions less than those without them, and where unions are recognised there is not to be consulted about such issues as profits and losses.

Tim Johnson, an employment law specialist at Coopers, said the openness shown in the study was unexpected, given that companies had so far established EWCs volun-

tarily. He says: "Although the UK has opted out of the Social Chapter, over 300 companies are likely to be affected by EWC practice."

European social legislation could impose extra costs on firms and lead to job losses, the EEF engineering employers' said yesterday. Peter Reid, EEF European affairs special-

ist, said the imposition of huge social costs was undermining companies.

He told Southampton Chamber of Commerce: "Social proposals which benefit employees are, in European legislation, being required to be funded by employers. That money has to come from somewhere."

THE TIMES RENTALS

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□ Scholey shows his style □ Fair exchange of landing slots is no robbery □ Foster's floating dilemma

The war wounds of Warburgs

□ SG Warburg tried to pretend it was business as usual after its merger talks with Morgan Stanley collapsed. In fact, the untidy affair was a body blow to the bank and compounded the battering it has received in the bond markets. In a business as carnivorous as investment banking, it did not take long for Warburg's rivals to start circling its carcass, picking off its top earners.

If Lord Cairns had been more politically astute he would have known his career at Warburg was finished the moment that Morgan Stanley backed off. Rightly or not, he was seen both internally and externally as the principal exponent of the merger plan, a plan that many regarded as a means of delivering Warburg up to Morgan Stanley on the cheap. Instead he stayed to try to plug the gap in the bank's earnings, and his demise has been all the more bitter for the two months he has clung to power.

Just as inevitably, the task of revitalising Warburg has fallen to Sir David Scholey, the safest pair of hands in the City. As the creator of Warburgs in its present form during Big Bang, Sir David should know if anyone how to mend it.

The City still hopes a bidder will emerge to put the bank out of its misery. But the list of potential buyers is short and none has so far stepped forward. Un-

doubtedly the speed of Warburg's deterioration would have deterred bidders. The value of an investment bank rests in its goodwill and that can disappear fast when the goodwill is walking out of the door. Deutsche Bank only declared its interest in Morgan Grenfell after John Craven had turned the bank around and demonstrated the strength of its franchise.

Sir David has already demonstrated his management acumen in the group's statement yesterday. To begin with he has drafted in a new generation of Warburg men to run the bank. Until recently Colin Buchanan and Edward Chandler, aged only 41, were two of the bank's rising stars. Yesterday they shot heavenwards as directors of the group and members of the new investment banking committee charged with pulling the bank out of the mire.

But Sir David has made it clear that the promotions will not end there. There are more board appointments to be made, so anyone who is being headhunted will think twice before quitting. The investment banking com-

mittee will have to decide what Warburg's future is. Clearly its attempt to cast itself in Goldman Sachs's mould was flawed, since the bank does not have the capital resources or global franchise for that. Further cuts look inevitable, particularly of empire-building operations such as Tokyo. On the trading side, Warburg should concentrate on its core franchise in British and European equities. By cutting other losses, the underlying profitability of the advisory business should re-emerge. Reports of Warburg's death have been exaggerated. But its convalescence will not be an easy one.

Bureaucrats stack over Heathrow

□ BRITAIN'S Civil Aviation Authority is the most pro-competitive in the European Union. But it operates in a stifling climate of bureaucratic dirigisme. That may explain its half-hearted proposals to the European Commission to aid competition at Europe's most congested airports, notably Heathrow.



On the positive side, the CAA argues that the black market trade in landing slots between airlines should be allowed officially. This would recognise that airlines have conditional "leases" on the slots they operate. An idea the Commission does not like. The CAA rightly argues that the trade should be transparent, so that prices, reputed to start at £1 million a time, would have to be disclosed. But it rejects an open auction on the paradoxical, but perhaps realistic ground that this would spawn more bureaucracy. Only if "exchanges" were made in an open market would outsiders believe that they were not fixes between the big players. In any case, the CAA sees "exchanges" as a sideshow to the

main event. That would consist of one set of bureaucrats operating a complex system of priorities set by other bureaucrats to allocate a pool of new and vacated slots to airlines wanting to compete with incumbents on busy intra-European routes.

Doffing its hat to Brussels, the CAA says it is "axiomatic that the EC, national governments and their competent authorities must determine these principles". Why? An open market both for available slots and those that existing airlines were prepared to trade would set market rents for congestion and allow market forces to set the priorities.

True, such a system would favour the strong, as markets do. But it would also increase the trade. In particular, it would encourage ailing flag carriers to treat their marginal slots as assets that could be sold to help finance restructuring, rather than hold on to them to stay big. By establishing cost differentials, it would also encourage airlines to use less congested airports, such as Stansted.

The objection, it seems, is that open auctions would favour in-

cumbents protecting cosy duopolies. Competition authorities should take care of that. No more meddling is required.

Reluctantly Courageous

□ THE great days when flamboyant Australian businessmen followed the example of their political leaders and said what they thought are sadly lost in the Dreamtime, so Nobby Clark's update on prospects for Courage was unavoidably bland.

But Foster's is now well and truly snookered in its bid to sell out, frustrated by a combination of bad luck, over-cautious potential buyers and ill-timed interference by the British regulatory authorities. The profits improvements in the interim figures are impressive but clearly unsustainable beyond March 1998, when the agreement to supply the 4,350-strong pub estate of Intrepereur, its joint venture with Grand Metropolitan, runs out.

The two well-publicised potential buyers, Whitbread and Scot-

tish & Newcastle, must be delighted that they have so far delayed the deal's consummation. If it had been signed before the OFT's decision last week to go back and examine the tie, it would have looked a disaster: instead, whatever the outcome of the OFT inquiry, they should now be able to negotiate a lower purchase price if they go ahead.

Foster's is instead weighing up the prospects for a float for Courage in London. The group should appreciate that these look poor indeed. The company, with its one big but temporary contract to Trowbridge, resembles poor Ushers of Trowbridge, the small regional forced to pull its float last year. Instead Foster's could be forced to fall back on its least attractive policy option, to do nothing, and Courage could remain in Australian hands for a while yet.

Curse of the bigwigs

□ LORD King of British Airways became involved with Aeroflot's Hamble which nosedived a few months after rising off the stock market runway. Now the former gas regulator, Sir James McKinnon, has repeated the story with the equally obscure Eurovein. Note for investors: view each new issue on its merits, and never mind which Big Name has been appointed to give it added lustre.

Misys shares drop after £212m deal to buy struggling ACT

By ERIC REGULY

SHARES in Misys fell heavily yesterday after the business software maker agreed to pay a hefty £212 million for ACT Group, its struggling rival.

Misys shares closed at their low for the day, down 14 per cent, to 360p from 409p. David Greenall, a Smith New Court analyst, said Misys shareholders fled because of the "expense of the deal and some concern that they're buying a company that has not been performing well".

Misys's offer of 300p in cash and 2.2 new Misys ordinary shares for every 10 ACT shares values ACT at 120p per share, or 57 per cent more than the share price on Friday. The offer represents a multiple of 22 times projected earnings for the current financial year.

Mr Greenall said the price was all the more questionable because Kevin Lomax, Misys chairman, said Misys was not looking for a US acquisition

because multiples were too high. "Clearly, now is not the time to expect great opportunities there," Mr Lomax said.

He defended the price, saying the combined group, with almost £300 million in turnover, making it one of the world's biggest software developers, would have a large and stable client base of 1,700 customers. Most are banks which, he said, tend to stick with their old suppliers. "It's very rare for a bank to chuck out a software system; it's like changing the engines on a 747 in mid-flight."

Misys also believes that it will be able to turn round ACT's British operations, which suffered from a significant jump last year in research and development costs and product-launch delays. The problems triggered two profit warnings, one in June, the other late last month.

Roger Foster, 54, ACT's

founder and chairman, said January's dismal trading statement triggered the takeover talks. The two companies had held informal merger talks for almost two years.

Misys will close ACT's Midlands headquarters but expects few redundancies. Combined employment will total about 3,600.

All of the ACT directors, including Mr Foster, will leave the board. Mr Lomax said ACT's directors, who are on two- and three-year rolling contracts, will be paid off. He said the costs will be "substantial", but declined to give details. Mr Foster said he had no immediate plans to go back into business.

Mr Lomax said the new group will concentrate on selling banking software in high-growth areas such as China and India.

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Misys directors Strone Macpherson, left, Kevin Lomax, centre, and Ross Graham

Pearson buys 10% of Hong Kong television group

By ALEXANDRA FREAN, MEDIA CORRESPONDENT

PEARSON, the media conglomerate that publishes the *Financial Times*, has acquired 10 per cent of Hong Kong's Television Broadcasts (TVB), one of Asia's leading television companies, for £108 million.

The purchase, which is subject to approval by the Hong Kong Broadcasting Authority, will create a powerful alliance representing a growing threat to international broadcasters, such as The News Corporation, parent company of *The Times*, and Ted Turner's Cable News Network.

Both Pearson and TVB, which produces 5,000 hours of television drama a year and owns a vast programme library, yesterday said the deal would help them to expand further into the region.

As a first step, the two groups said they were entering into a joint venture with the *Hindustan Times*, one of India's largest newspapers, to produce and syndicate TV programmes for the Indian market. The new venture will draw on the expertise of

Thames Television, which is wholly owned by Pearson, and TVB, which has a vast studio complex in Hong Kong.

Greg Dyke, chief executive of Pearson Television, said the deal opened up valuable opportunities in some of the fastest growing television markets in the world.

He said: "The only way to expand in different television markets is to make programmes in the local language for the tastes of the people who live there. The experience of American television companies in Europe shows that there is no such thing as cultural imperialism when it comes to TV: it simply does not work."

Pearson has acquired its holding from Shaw Brothers and the Shaw Foundation at HK\$31 (£2.57) per share. After the sale, Shaw Brothers, which said it would realise a HK\$563.5 million profit from the sale, will have the biggest stake, with 24 per cent.

Tempus, page 26

Asda may import to beat NBA

ASDA, the supermarket group, is considering importing books from abroad in a bid to bypass the Net Book Agreement and cut prices on bestsellers (Susan Gilchrist writes).

Last week, the group cut up to 20 per cent from the prices of a dozen popular paperback books but was forced to reverse the decision after legal action by leading publishers.

Yesterday, an Asda spokesman said: "We broke the NBA because we are very determined to get better-value books in our stores. It didn't work that time, but we are not going to let it end there."

Asda is looking at several options including importing bestselling books from markets such as the US and Australia which are not subject to price regulation.

Courage serves up a better half

By MARTIN WALLER, DEPUTY CITY EDITOR

COURAGE, Britain's second biggest brewer, lifted income paid to its Australian parent by 17 per cent in the second half of last year in spite of the tough conditions in the British beer market and the rise in the value of the Australian dollar.

Foster's Brewing Group, owners of Courage, highlighted the figures from its British operation with its own interim report for the six months to December 31. There was no indication of plans for Courage, which Foster's has indicated it wants to sell. Courage expanded profits before interest payments to \$118 million, or £56 million on the exchange rates used by Foster's. In pounds sterling, the rise was 24 per cent. In a falling beer market, Courage raised volumes by 2.4 per cent on a market share of 19 per cent.

On the future of its British brewing operations, Ted

Kunkel, the chief executive of Foster's, said: "There are complex issues which require very careful consideration and no decisions have yet been made."

Negotiations to sell Courage are thought to have stalled, however, even before last week's announcement from the Office of Fair Trading of a further inquiry into the ties between big brewers and their pub estates.

The 50 per cent-owned Intrepereur pub chain turned in a £10 million profit, against a £19 million loss last time.

Foster's saw an A\$7 million reduction in after-tax profits in the first half to A\$204 million, after a \$47 million fall in one-off earnings to A\$2 million. Operating profits were up by 26 per cent to A\$225 million.

Pennington, this page

Eurovein delivers warning

By MARTIN BARROW, CITY NEWS EDITOR

EUROVEIN, the specialised engineering company chaired by Sir James McKinnon, stunned the City with a profit warning yesterday, less than three months after its shares were floated.

The shares slumped to 86p, from 137p, compared with November's offer price of 141p, as dealers swiftly responded to the company's statement that large prospective orders were taking longer than expected to convert into firm orders.

Albert E Sharp, the stockbroker that sponsored the share offer, quickly lowered profit forecasts to £1.5 million before tax from a previously expected £2.4 million for the current year and from £3.6 million to £2.85 million for the



McKinnon: consulted

following 12 months. The flotation raised £13.5 million and capitalised the company at £23.2 million. By close of business yesterday, the value was reduced to £14.15 million. Bill Eastwood, chief executive,

said: "It is not a matter of orders being lost; they have been postponed." The underlying business was sound, he added. The orders, principally from Eastern Europe and the Far East, could be expected to materialise at a later date.

At the time of the flotation, the company said that sales and order intake for the lower margin equipment business were running lower than in the previous year and it was this part of the business that continued to be affected.

However, sales and orders for spare parts and consumable products were satisfactory and in line with budget. As a result, dividend policy was not likely to be altered after the profit warning.

Sir James was fully consulted about the statement, a spokesman said.

Lloyds Bank Interest Rates for Business Customers

BUSINESS OVERDRAFTS

Band	Monthly Rate	Eqv. Annual Rate
A†	0.98%	11.76%
B	0.90%	10.80%
C	0.81%	9.72%
Unauthorised	2.00%	24.00%

BUSINESS SAVINGS

PREMIER INTEREST ACCOUNT†	GROSS RATE %	GROSS CAR %
£350,000+	5.60	5.75
£100,000+	5.40	5.54
£25,000+	4.90	5.01
£10,000+	4.60	4.70

BUSINESS LOANS

Band	Monthly Rate	Eqv. Annual Rate
Standard**	1.02%	12.24%
Preferential**	0.85%	10.20%
Small Business Loan Standard	1.12%	13.44% (APR 14.2%)*
Small Business Loan***	1.02%	12.24% (APR 12.9%)*

BUSINESS MORTGAGES

Band	Monthly Rate	Eqv. Annual Rate
A	1.02%	12.24%
B and C	0.85%	10.20%

BUSINESS CALL ACCOUNT	GROSS RATE %	GROSS CAR %
£250,000+	4.20	4.28
£50,000+	3.95	4.02
£10,000+	3.70	3.76
£1,000+	3.40	3.45
Below £1,000	3.00	3.04

CLIENT'S CALL ACCOUNT	HALF YEARLY OPTION		MONTHLY OPTION	
	GROSS RATE %	GROSS CAR %	GROSS RATE %	GROSS CAR %
£1,000,000+	4.85	4.91	4.80	4.91
£ 100,000+	4.65	4.70	4.61	4.71
£ 10,000+	4.15	4.19	4.11	4.19
£ 2,500+	3.60	3.63	3.57	3.63
Below £2,500	1.00	1.00	1.00	1.00

DEPOSIT ACCOUNT	HALF YEARLY OPTION		MONTHLY OPTION	
	GROSS RATE %	GROSS CAR %	GROSS RATE %	GROSS CAR %
£1+	0.25	0.25	0.25	0.25

†Standard and A Bands have been merged.

*The APR does not take into account any additional charges (eg arrangement fees/ securities charges/monthly fees) which may be applicable.

Also applies to Farm Business Loans. *Also applies to Farm Small Business Loans.

Interest rates may vary from time to time. This notice lists current rates.

GROSS RATE - the annual interest rate.

GROSS CAR - compounded annual rate when full monthly or half-yearly interest remains invested. Business Call Account and Premier Interest Account assume interest paid monthly.

††No interest is paid on balances below £10,000.

These rates of interest will apply with effect from 14 February 1995



THE THOROUGHbred BANK.

Lloyds Bank Plc, 71 Lombard Street, London EC3P 3BS

STOCK MARKET

MICHAEL CLARK

Shares dive through 3,100 as investors take cover

SHARE prices plunged back through 3,100 as the spectre of yet further interest rate rises returned to haunt investors after a setback on the inflation front.

Traders had been bracing themselves for another increase in factory gate prices during January, but the subsequent leap of almost 1 per cent was far worse than they expected. As a result, investors ran for cover in fear of another rise in base rates.

By the close of business yesterday sentiment, which had showed signs of improving during the past few days, had been severely dented. The FT-SE 100 index was left nursing a fall of 28.8 points at 3,081.1, wiping out much of last week's 50-point rise.

However, much of yesterday's setback proved to be cosmetic. By the close of business, just 519 million shares had been traded. This included some heavy turnover in new issue Bath Press, accounting for more than 90 million shares. Bath Press came to market via a reverse takeover of Diverse Acquisitions.

Placed at 10p, the shares opened at 13p and ended the day at 13p 7/8 as 7.3 million were traded. The group has also raised extra funds by way of a rights issue. There was big demand for the nil-paid which began at 3p before ending at 3p 1/2 with almost 84 million shares traded.

A two-way pull has developed in shares of SG Warburg, with the price dropping 20p to 70p. The resignation of Lord Cairns, the chief executive, came as a shock to the City, and highlights the problems behind the scenes culminating in the recent departure of some of its best talent.

The trouble arose after the breakdown in merger talks with Morgan Stanley. The speculators now seem divided. Some say the group remains vulnerable to an unwanted takeover. Others are convinced the loss of so much talent makes it less attractive. They point out that the reason Morgan Stanley wanted to bid was to get its hands on Mercury Asset Management, the group's separately quoted fund management arm.

Saatchi & Saatchi dipped 5p to 107p after falling at the first hurdle in its attempt to prevent former chairman Maurice Saatchi from forming his own company and

The Rank Organisation



Michael Gifford, of Rank, where brokers met last night

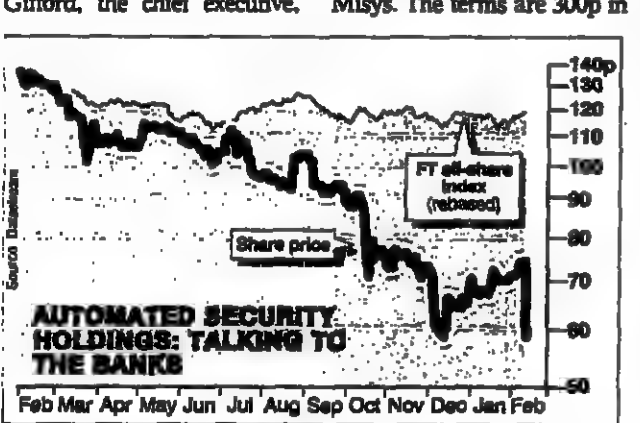
poaching several top executives. The High Court described the merits of the company's application as questionable. Saatchi & Saatchi were ordered to pay costs.

Last week's bid speculation in United Biscuits boiled over, with the price relapsing 19p to 34p. Friday saw heavy options activity, with dealers

There was further heavy turnover in SelectTV shares, which firmed a further 1p to 28p, with 2.26 million traded. Brokers say it can only be a matter of time before MAI, which emerged with 4 per cent of the shares recently, launches a bid. SelectTV owns 14 per cent of Meridian Television. MAI holds a controlling 60 per cent.

size of its corporate headquarters, with 40 employees out of the 100-strong staff either losing their jobs or being redeployed. Directors Nigel Whitaker and Tim Breene are also to go. The shares responded with a fall of 4p to 42p.

ACT Group, the computer software supplier, jumped 3 1/2p to 108p after agreeing a £212 million bid from rival Misys. The terms are 300p in



Automated Security Holdings: Talking to the banks

cash and 2.2 Misys shares for every ten ACT, valuing the group at 120p a share. ACT had been looking vulnerable to a bid after issuing its second profits warning in seven months. Misys, which will see its share capital leap by 45 per cent, tumbled 49p to 360p.

Automated Security Holdings slumped 14p to 60p, after reports that the group was in crisis talks with its bankers about refinancing in an attempt to strengthen its balance sheet. The group tried to reassure the market, saying that the talks with its bankers were at an advanced stage. Its multi-option facility is due to expire in May and more information will be provided when the full-year figures for the end of November are published.

Metrobank Industries tumbled 18p to 41p on the back of a profits warning that was accompanied by the resignation of Brian Thomas, the chairman. The group says that profits in the second half - traditionally the strongest period - are likely to be no better than those achieved during the first six months. The group blamed the setback on delays to a number of projects.

John Phillips takes over the role of non-executive chairman. He was previously chief executive of Ingham and managing director of Vernons Foods.

GILT-EDGED: Gilts saw Friday's losses extended as investors continued to reflect on the Bank of England's decision to pitch the next auction at the ten-year level. It had been expected that the Bank would tap the short end of the market.

Brokers reported losses across the board, with the short end also closing lower on the day. The falls accelerated after publication of the latest inflation statistics.

In the futures pit, the March series of the long gilt dropped £12 1/2 to £100 1/2, as 72,000 contracts were completed.

Among conventional issues Treasury 8 per cent 2013 lost £1 1/2 to 89 1/2, while at the shorter end of the market, Treasury 8 per cent 2000 was £1 1/2 to 89 1/2. US shares were little moved at midday as Wall Street battled against stiff technical resistance and anticipation of a heavy week of economic data. The Dow Jones industrial average was up 4.38 at 3,943.45.

MAJOR INDICES

New York (midday):	
Dow Jones	3943.45 (+4.38)
S&P Composite	481.59 (+0.13)
Tokyo:	
Nikkei Average	18313.06 (+22.51)
Hong Kong:	
Hang Seng	7974.82 (-38.00)
Amsterdam:	
EOE Index	414.75 (+0.89)
Sydney:	
ASX	1846.5 (+0.3)
Frankfurt:	
DAX	2116.95 (+12.20)
Singapore:	
SEAC	2093.12 (+19.07)
Brussels:	
General	7104.07 (+0.92)
Paris:	
CAC-40	1850.31 (+19.08)
Zurich:	
SMI	633.00 (+0.20)
London:	
FT 100	2944.4 (-20.4)
FT 250	2081.1 (-24.8)
FTSE All-Share	2465.5 (-4.38)
FTSE 100	1342.94 (+5.36)
FT All-Share	1519.85 (+11.00)
FT Non-Financials	1645.97 (+12.02)
FT Gold Mines	2020.1 (-1.1)
FT FTSE 100	110.14 (+0.1)
FT Govt Secs	10.71 (+0.52)
Bargains	22282
SEAG Volume	519.1m
USDA (Barometer)	146.23 (+0.13)
US\$	1.5638 (+0.0031)
German Mark	2.3743 (+0.0052)
Exchange Index	78.8 (panel)
Bank of England Official Rate	12.50%
ESCU	1.2362
ESDU	1.0612
1460 Dec 1994 Jan 1995	100

RECENT ISSUES

Bath Press (10)	13p
Lazard Africa Ltd	54p
Lazard Africa Ltd Wts	54p
MCTT Cap (35)	34
MCTT Inc (35)	36
Mithun Lloyds Int (100)	81
Pennex Oil	90
Westcoast Trust	11
Woodchester Units	125

RIGHTS ISSUES

BTP n/p (225)	3p -1
Bath Press n/p (10)	3p
Cadbury Schweppes n/p (7)	3p
Verity n/p (7)	4p

MAJOR CHANGES

RISES:	
Brandon Hire	121p (+8p)
Gestetner	119p (+7p)
Tadpole Tech	257p (+7p)
Stadley Leisure	384p (+6p)
MWD	81p (+6p)
Coltech	269p (+5p)
Briton Group	132p (+5p)
High-Point	43p (+12p)
Body Shop	155p (+6p)
Plying Flowers	101p (+5p)
Warren	140p (+5p)
Brit Data Mgmt	189p (+8p)
FALLS:	
SG Warburg	706p (-20p)
Caradon	246p (-8p)
ICI	734p (-14p)
Metrobank	41p (-18p)
Auto Sec	58p (-12p)
Thetford & Son	613p (-12p)
Slobe	533p (-7p)
Carlson Comm	833p (-12p)
More O'Farrell	357p (-6p)
Soot TV	428p (-10p)
Govet	286p (-22p)
Rathbone Bros	273p (-7p)
Glass	641p (-11p)
Wellcome	1014p (-11p)
Zeneca	862p (-8p)
J Cropper	274p (-8p)

Closing Prices Page 28

TEMPUS

Television takeover

SINCE Pearson decided to shed its oil services and fine china divisions and concentrate on its media interests, the deals have come thick and fast. Little wonder the group retained Lazard, since it needs an in-house merchant bank just to cope with the deal flow. In the past year, the group has launched itself into software publishing and consumer magazines, and is stock-piling television interests as if they were going out of fashion.

The acquisition of a 10 per cent stake in TVB, Hong Kong's leading television station, is the latest in this hyperactive spree. Once again, Pearson has been prepared to dilute its earnings towards the cause of building an international media group. But the deal was enough to give the City some misgivings since the group is beginning to resemble a media investment trust rather than a company, with

a port-manteau of small stakes in interesting-looking television companies.

Granted, TVB is operating in part of the world where television revenues are growing explosively. But the £108 million price tag does not look cheap on a p/e ratio of 25, particularly since there is no premium for control. As an independent producer, Pearson is being forced by British law to rely on minority stakes to further its interests. But the tangible benefits remain doubtful until proven otherwise.

The downside on the TVB stake should be limited since the company is quoted and Pearson is not paying the market price for the shares. The market has its doubts whether Pearson's management can handle the pace of such international expansion, even with new boys such as Greg Dyke aboard.

Misys

THE initial reaction to the £12.5 million purchase by Misys of the ailing ACT was uniformly hostile, and little wonder. The situation is fairly common. A company falls into difficulties, the potential bidder has been circling for a while and takes the opportunity for a well-timed lunge. Exit almost all of the target's board, even if they have resigned the offer.

What the bidder does not usually do is pay 22 times its target's current-year earnings or a 50 per cent-plus premium to the market price. ACT has released two profit warnings in three months because of problems in the UK side of the business.

Analysts expect it to lose £2 million in a company that will make £15 million to £17 million this financial year. Once Misys takes control, the

levels are low. The company believes it can ingratiate itself among the intermediaries by offering the most efficient service. But with rates rising again and house prices stagnant it will be a slow haul.

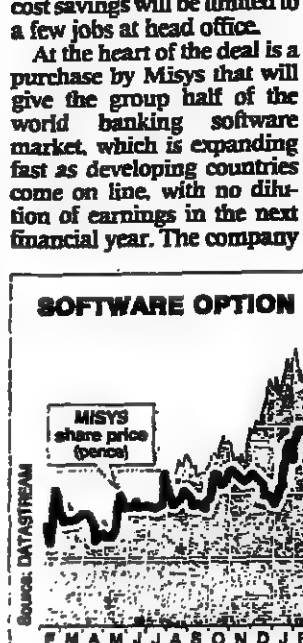
That will mean the group's lending book will continue to dwindle, perhaps as late as 1998. Profits will only be sustained by the high margins the group is charging on its existing mortgage book. The group's next target must be to return to positive asset growth or the entire rescue will have been in vain.

A share price of 11p reflects the risks, valuing the company on a p/e ratio in the mid-teens, and carrying little recovery value. It includes no bid premium, even though it is highly possible that NHL will attract a bidder before its recovery is complete.

Burford

WHEN Burford bought the Trocadero last September the City fretted that it had

SOFTWARE OPTION



FT All-Share (rebased)

Source: DATASTREAM

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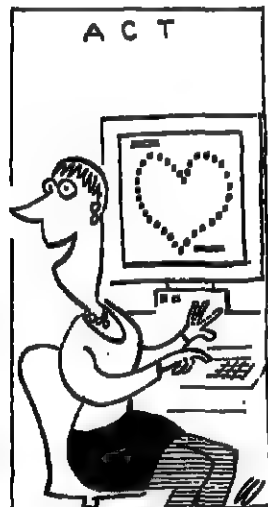
THE TIMES CITY DIARY

Holmes away at CLL

JOHN HOLMES, head of UK sales at Credit Lyonnais Laing, has, I'm told, resigned. His exit from CLL, after three years with the firm, took place on Friday and follows, so I am also told, what has been a period of strained relations with some of those at the top. City friends speak well of Holmes, 51, who has a sense of fun and is known as "Holiday Holmes" because of his love of golf. He established Hedge Government's New York office in the early 1980s, headed up Morgan Grenfell Securities in London, and then worked for Morgan Stanley. At one stage, Holmes planned with his friend Peter Quinnen — until March 1990, chief executive of James Capel — to set up their own research company, but although they raised £5 million, it did not take off. He then moved to CLL. After a career like that, Holmes is unlikely to be on holiday for long. His replacement as UK head of sales at CLL is Peter Benka.

What a picture

IT'S not true that anybody nominated as the *Guardian's* Young Business Man of the Year fades away, never to be heard of again. John Ashcroft, the *Guardian's* 1987 man, who left Coleridge Group in 1990, has been studying in Manchester for a PhD, which he hopes to complete this year, and has been pursuing his passion to illustrate dry economic information in easy-to-understand/quick-to-absorb picture form. *The Economic Picture Book*, a quarterly publication at £145 a year, rolled off the presses yesterday.



"It's a Valentine from Missy."

Bank at war

A BLACK and white photographic exhibition illustrating how the Bank of England coped during the war years 1939-45 opens on Thursday and runs until March 31 at the Bank's museum, entrance free. The pictorial history shows how the Old Lady's staff ate, exercised, worked, defended, and were even decontaminated, while in the vaults — but there are no pictures of any of the Governors wearing gas masks. Also, the riddle of how everybody found working space alongside all those gold bars remains a secret. "We have many vaults," is all a 1995 spokesperson will say.

Caught young

NATWEST (Worcester Park branch), keen to offer financial planning advice, has caught in its net Kate Finn, daughter of Central Statistical Office Press officer Mike Finn. Kate, has been told by letter that "a regular review of your financial situation is strongly recommended" and she has been invited to make contact. Mike is confused. Kate is only seven years old, and as far as he is aware, her total disposable income is just 35p a week and is invariably spent on lemonade and ice lollies.

COLIN CAMPBELL

New-style coal firms out to make money by cleaning up

Councils are looking to open-casting to create country parks from dereliction, says Ross Tieman

Mention coal mining, and the average Briton conjures up images of grimy faces beneath miners' helmets, pit winding gear and slag heaps. Yet so great was the contraction of the industry in the first half of this decade that the businesses transferred to the private sector last December have fewer than 20 deep mines between them. Although the distribution of coal reserves ensures that more than half of production still comes from deep mines, most mines in Britain's new private sector coal industry are open-cast pits producing half a million tonnes or less each year. This will have far-reaching consequences, both industrial and social.

Open-cast pits usually offer production costs well below the world market price of coal. A private sector regime, in which high employment is a cost, rather than a political bonus, will tend to favour development of open-cast reserves rather than deep mines. Since open-cast sites, typically, have a life of only three to seven years, while deep mines may stay in production for a century or more, the new owners of Britain's coal industry have acquired a great many short-life assets. In ten years' time, the owners of the industry will be those with economic deep mines, and companies that are successful in winning planning consent for open-casting.

How much of an advantage will existing open-cast operators have when seeking consent?

Winning planning permission for new open-cast coal mines is not going to be easy in the green-tinted Nimby Britain of the 1990s. Few homeowners want a monster hole in the ground at the bottom of their garden, or lorries rumbling past their doors to remove several million tonnes of dusty rock.

Yet local authorities can ill afford the poor publicity from allegations that protecting the backyards of well-to-do voters has cost the jobs of 150 or so electors per pit who are already working in the industry.

The resolution of these contradictory pressures may well hinge on a third factor: derelict land reclamation. For historic reasons, many of Britain's biggest open-cast reserves are beneath areas of industrial dereliction. That is because Britain's industrial revolution began where coal outcropped naturally. Early miners followed the drift underground, while their customers built steelworks, acid plants, coke works and other related factories on the surface. When easily exploitable reserves were exhausted, successful mine owners sank shafts into new areas of the same deposits, to tap them at greater depths, establishing Britain's deep mine industry.



Cast off: windsurfers in action on a former open-cast site at Pugney's Country Park, Wakefield

where coal once outcropped, contractors scooped up the fuel left behind by the inefficient drift miners. Draglines became bigger, and British Coal, although essentially committed to deep mining, began to open-cast in the countryside, in an effort to balance employment and produce profits.

In recent years, environmental considerations have made it easier to win planning consent for open-casting on derelict or contaminated sites left by the closure of early coal-related industry. Mining the coal requires removal of contaminated soil; profits from coal mining provide the funds for restoration.

As Bryan Riddleston, chief executive of Celtic Energy (which bought British Coal's South Wales assets), points out, the core skills of Britain's open-cast coal companies lie entirely outside mining. Mineral extraction is done for them by contractors such as Wimpey, Taylor Woodrow and Ames.

What the coal companies possess is three specialist skills. They know about coal marketing. They have learnt to identify extraction sites and obtain planning consent from local authorities. And — crucial to obtaining that

consent — they have developed great expertise in land restoration. British Coal Opencast had an admirable record in taking polluted sites, extracting the coal beneath them and restoring them as industrial sites, country parks or farmland. Increasingly, local authorities will be looking at open-casting as a means of achieving their land reclamation goals. Reclamation skills and experience will become crucial to obtaining mineral extraction consents.

When Mr Riddleston, an accountant by training, became head of British Coal's open-cast operations in South Wales seven years ago, output was 1.1 million tonnes a year. In the year to April, production is likely to top 3 million tonnes. Since 1988, Mr Riddleston has built what is now Celtic Energy into a business with 160 direct employees, 1,500 or so contract miners, and annual sales of about £140 million. Last time British Coal revealed a profit figure for the operations, it was comfortably over £25 million a year.

The key to Celtic's success in increasing output has been collaboration with

local authorities. In two cases, local authorities have given themselves planning consent to extract minerals and appointed British Coal, now Celtic, as their contractor.

The best-known case is the East Merthyr Restoration Scheme. In a three-phase project, Celtic is engaged in reclaiming 800 acres of derelict land, some of it adjoining homes. As part of the current phase 2, Celtic will be responsible for diverting a trunk road, upgrading it to a dual carriageway, and providing access to new industrial development sites and recreational land. Local knowledge, contacts, landholdings and markets are crucial to this process. For that reason, the new open-cast companies may find it difficult to expand into each others' areas.

The best opportunities may lie overseas. Huge areas of the former East Germany and the northern Czech Republic are blighted by open-cast and associated workings, while industrial contamination is common in Poland, the former USSR and elsewhere. British reclamation skills, self-financing from coal extraction, may find a ready market there, especially if the going gets tough at home.

Kohl grapples with problem of pit subsidies

Colin Narbrough looks at divisions over propping up Germany's coal industry

The centre-right coalition of Helmut Kohl, the German Chancellor, is holding crucial talks today on how to finance the billions of marks of subsidies that still prop up Germany's uneconomic coal industry.

German hard coal mining played a key role in the country's post-war economic miracle and employed 600,000 workers at its peak in the late 1950s. Although that has contracted to 100,000, the workforce remains about ten times the size of Britain's privatised coal sector.

Although German coal costs four times as much as that available on world markets, Germany, with no oil and gas riches to match those of other North Sea economies, has persisted with generous subsidies.

The strong anti-nuclear lobby in Germany has also helped to foster continued reliance on coal-fired electricity generation.

Theo Waigel, the Finance Minister, recently observed that the federal Government was faced with prospect of paying DM100,000 per miner next year to keep the pits going. This raised the question whether such support could be justified in terms of energy, regional or Budget policies, he said.

Regional elections next Sunday in Hesse, and more importantly, in North Rhine Westphalia, which includes the Ruhr, Germany's coal and steel heartland, have made the coalition's subsidy talks a highly sensitive political issue.

As the Government combed its expenditure for possible cuts after the post-unification ballooning of the public deficit, subsidies of DM7.5 billion a year that go to support coal for the power industry naturally came under scrutiny.

But a December court ruling, that the 8.5 per cent levy electricity consumers must pay to support native coal was unconstitutional, increased the pressure on the Government to change policy. The court gave Bonn until the end of this year to switch to an acceptable system.

The Government had already decided to cut the annual subsidy to DM7

billion from next year, with further unspecified cuts due from 2000. It is also seeking to reduce its share of the DM3 billion annual subsidy to native coking coal for the steel industry from two thirds to a half.

Herr Kohl's Christian Democrats want the support regime to continue, but their coalition partners are keen to wind it down. Coalition talks last week failed to produce agreement on either the coal levy, or on the support German steel-makers are required to make for coking coal.

The Christian Democrats have proposed that a new energy tax could be used to finance progress towards a range of energy policy targets, including continued support for coal mining.

Their coalition partners, the Free Democrats, the most ardent advocates in the Cabinet of free-market policies, and the Christian Social Union, the strongest supporter of nuclear energy, have argued against the new tax. Rudolf Scharping, leader of the opposition Social Democrats, who now control the upper house of the German parliament, last week threatened to delay this year's Budget unless financing for the coal industry was secure.

While Herr Waigel has voiced concern about the impact the continuation of heavy subsidies to coal would have on his programme of consolidating public sector finances, figures out yesterday revealed that government deficits were reduced by 28 per cent in the first three quarters of last year to DM95.5 billion.

Intimately related to the issue of coal subsidies is the wider question of Germany's competitive position on the world market. Environmentalists, who have a powerful political voice, have blocked and delayed expanded use of nuclear energy, the alternative much favoured by industry.

Herr Kohl's political style has been typified by letting problems smoulder. But with Bonn's European partners successfully extracting themselves from costly native coal in Europe's inter-linked energy market, he may soon be forced to put the writing on the wall for Germany's coal mines.

Coal mining played a key role in the economic miracle

Patricia Tehan charts the crisis at SG Warburg

City jewel loses its sparkle

Until December, SG Warburg was the jewel in the crown in British merchant banking — the closest thing we had to rival global giants such as Morgan Stanley, Goldman Sachs and Salomon Brothers.

Since Big Bang in 1986, Warburg had become the City's pre-eminent integrated investment bank, aiming to provide a one-stop shop for financial services. It intended to compete globally, while making the most of its European traditions and strengths.

Now the firm has been plunged into crisis. Where once confident, some might say arrogant, voices echoed around its Finsbury Avenue offices, now there is only anxious whispering about what the future holds, as each day brings fresh news of dismissals and defections.



Curricula vitae from Warburg staff are said to be on the desks of City firms

When the Morgan Stanley deal failed, he made the approach to Morgan Stanley and led the negotiations, assisted by Nick Verrey, chairman of Warburg's banking business. He sold the idea of the merger to staff and to shareholders as enabling Warburg to leapfrog the competition and accelerate its strategy of becoming a global integrated investment bank.

Warburg is now faced with the task of identifying key staff and teams it cannot afford to lose. Rumours abound of pay rises, extra bonus incentives and guaranteed bonuses. The difficulty Warburg faces is finding a way to pay for them. Yesterday, along with Lord Cairns's resignation, the bank issued a profits warning, saying that the difficult market environment had continued to have an adverse effect on investment banking results.

Until recently, Warburg has not found any great difficulty in holding on to staff. In the year to March 31, 1994, its wages and salaries bill, including performance-related bonuses and deferred pay provisions, was £422.7 million, taking total staff costs to £469.9 million — an average of £105,000 per person.

Some argued that Lord Cairns should have resigned

when the Morgan Stanley deal failed. He made the approach to Morgan Stanley and led the negotiations, assisted by Nick Verrey, chairman of Warburg's banking business. He sold the idea of the merger to staff and to shareholders as enabling Warburg to leapfrog the competition and accelerate its strategy of becoming a global integrated investment bank.

Warburg has now pulled out of eurobonds, with the loss of 180 jobs. The move, and increased talk yesterday by Sir David Scholey, the chairman who has taken over the chief

executive's job, of the need to curb costs, has fuelled fears that more jobs will go.

Lord Cairns attempted to restore stability at Warburg two weeks ago. He restructured a reporting line put in place last October, taking day-to-day control of operations away from Mr Verrey and Derek Higgs, chairmen of its banking and broking businesses.

The move was not dramatic enough. Warburg has 300 directors of its various business units. They were increasingly dissatisfied. Warburg CVs are rumoured to be papering the desks of other City firms.

That Lord Cairns stayed on for another two months is proof of his standing at Warburg and in the City. While his reputation has been dented, he is thought unlikely to be in the job market for long.

The task facing Sir David is to restore Warburg's credibility among staff and clients and restore its investment banking operations to profitability.

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[illegible][illegible]

* Yield expressed as CAR (Compound Annual Return).
† Ex dividend, ‡ Middle price; No significant data.
§ Periodic Charge deducted from capital. @ Ex-4 Charge



THEATRE page 32
Strictly Entre Nous: a new play delves into the complex personality of W.H. Auden

ARTS

FESTIVAL page 33

Clement Attlee's time capsule offers a unique insight into everyday life during the 1940s



VISUAL ART: Richard Cork on the Hayward's tribute to gifted and tragic Yves Klein; plus other new London shows

Shocking blue unfaded by time

Of all the spectacular shocks delivered by modern artists, perhaps the most dramatic occurred on a March evening in 1960. At ten o'clock, a hundred smartly-dressed guests arrived at the luxurious Galerie Internationale d'Art Contemporain in Paris. Few of them could have guessed at the astonishment in store. Any suspicions they may have harboured were hushed as the members of a small string orchestra entered with three singers. Their solemnity was impeccable as they sat down, at the side of a large stage area covered with fresh white paper, and waited for the proceedings to begin.

The air of decorum did not last long. True, Yves Klein wore a tuxedo and white tie when he came in and bowed. But as the orchestra started playing his *Monotone Symphony*, the audience gasped.

A trio of nude women, each carrying buckets of blue paint, walked to the centre of the stage. Obeying Klein's instructions, two of them smeared their bodies with paint and then pressed themselves repeatedly against a large paper sheet hung on the wall. By adopting different positions and climbing pedestals, they covered the pristine surface with a rhythmic sequence of images. Then the third woman was dragged across the stage, her equally splattered body besmirching its whiteness with arabesques of colour.

Klein, like a conductor, directed each movement with precise arm gestures. But the audience's attention was monopolised by the nudes. Their brazenly exposed and pigment-stained flesh, combined with the smudges and splashes left in their wake, incensed many of the spectators. Outrage dominated reaction to the event, especially when the press published photographs and blew it up into the ultimate art scandal.

Klein himself cannot have been surprised by the furore. He had, after all, aroused controversy before, with his well-promoted exhibitions of all-blue paintings and sponge sculptures. But the 1960 performance ignited an outbreak of hostility far more vehement and widespread than anything he had provoked earlier. He found himself branded a publicity-seeking charlatan. And when Guadalupe Jacopini sensationalised the body-painting event in his film *Mondo Kane*, Klein was so upset by the distorted editing that it contributed to his first heart attack. He died only a month later, aged 34, and

plagued by the belief that his work had not been treated with the seriousness it deserved.

No such accusation can be levelled at the organisers of Klein's retrospective at the Hayward Gallery. A film of the notorious 1960 performance is relayed on a screen, certainly. But it is confined to a discreet corner of a large room, where monumental paintings executed during similar body-painting sessions command our attention.

Watching the film, I was struck by the disarming propriety of the event rather than its legendary shamelessness.

The nudes all move with conspicuous delicacy, even though they rub themselves against the paper in a sensuous way.

More like a well-rehearsed ballet than a spontaneous happening, it is orchestrated so rigorously that everything takes on a grave, ritualised character.

One eyewitness, the artist David Medalla, was reminded of prehistoric cave-paintings, and Pierre Restany's critical text on the invitation to the 1960 performance claimed that Klein's bodyprints had a 40,000-year kinship with the anonymous handprints found on the cavernous walls at Altamira and Lascaux.

Klein would have warmed to these connections. Like many 20th-century innovators, he wanted to purge art of anything that threatened to compromise its essential potency. He aimed at distillation, but without sacrificing immediacy. The body-paintings at the Hayward present the simplified imprints of torsos with primal directness, at times reminiscent of figure-carvings as ancient as the swollen-bellied Venus of Willendorf. They heighten our awareness of physical experience, and present it in tripe-like images with a religious aura.

Alongside his urge to expose human bodies in all their nakedness, Klein was guided by a strong spiritual sensibility. Growing up in Nice, he became acutely receptive to the sky's uninterrupted blueness. One day, lying on a beach, he decided to focus on the infinity of the colour stretching far above him. It appealed to the meditative side of his complex temperament, and led quite logically to the moment, in 1949, when he made his first monochrome paintings.

It happened in London, where the 21-year-old Klein was working in a frame shop. The sight of pure, unmixed pigment fascinated him, and he decided that their piercing



"A commitment to absolute abstraction": *Untitled Shroud Anthropometry* (above) is a famous example of Yves Klein's combination of a naked woman and body-paint, as in the notorious anthropometry display in Paris in 1960 (top); Klein, with blowtorch, composes one of his fire paintings

intensity should somehow be preserved and celebrated in his own paintings.

That is why the first rooms at the Hayward are devoted to canvases of a single colour. The superb installation, one of the finest I have seen at the gallery, brings out their remarkable luminosity. Klein became convinced that "there is a living world of colour", and these monochromes cleanse our vision so successfully that we seem to be experiencing greens, purples, and violets as if for the first time. Most are far smaller than his later paintings, but even the most modest canvases sing out forcefully from the walls. Nothing impedes their singleness of concentration on the potency of undiluted colour, apart from one unusually wide picture, where the expanse of orange is disrupted, in one corner, by Klein's intertwined initials and the date: May 1955. However delicate his handwriting may seem, it still upsets the

equilibrium of the painting as a whole. Working with rollers rather than brushes, he eradicates individual mark-making in favour of a more impersonal reliance on the allure of colour itself.

Although plenty of painters have explored this avenue since then, Klein's pioneering commitment to absolute abstraction still looks strikingly pure and thorough-going. It has a serenity quite at odds with his reputation as a scandal-monger, proving that stillness and limpidity were his fundamental qualities. With a steady certitude surprising in one so young, he then decided to discard every colour save one. His strongest affinity had always been with deep ultramarine, and so he dedicated himself to the patented lustre of International Klein Blue.

The roomful of blue paintings at the Hayward provides the show with its most absorbing space. A lesser artist might easily have descended into monotony, but each picture

possesses a character of its own. Using dry pigment on synthetic resin, and relying on wood as the support for his plaster or fabric, Klein gave the paintings a very tactile presence. They tempt us to touch the ridges running through them like the uneven surface of a dark, enigmatic planet. One of the most memorable is a cluster of painted blue rods, suspended from the ceiling like rain lancing through space.

Later on, Klein experimented with images that included traces of real rain, as well as wind and plant forms. He called them *Cosmogonies*, and hoped that their reliance on natural forces would give his work an even greater sense of inevitability. They look oddly hesitant and tame, however, compared with the work when Klein imposes his own will. A reconstruction of the *Forest of Sponges*, first installed at the Galerie Iris Cleri in 1959, is far

livelier. The sponge sculptures, saturated with his trademark blue pigment, spring up from their stone bases with an unexpectedly playful swagger. They reminded me of Miro, and prove that Klein's purist obsession with unalloyed colour was the work of a man also prepared to deploy a quirky sense of humour.

Teasing plays its part in his celebrated *Leap into the Void*, the performance piece that provides the exhibition with its impulsive subtitle. Although we know that eight sturdy members of Klein's judo club caught him in a tarpaulin, the cleverly doctored photograph shows Klein jumping unsupported from the ledge of a building. It resembles a suicide leap, even if Klein displays all the agility of a highly respected black-belt judo teacher. But the zest with which he propels himself into space seems more positive than despairing. Caught by the camera at the moment when he appears to rise in the

air, Klein looks buoyed up by the wild hope that he might float gravity-free.

Viewed with hindsight, *Leap into the Void* may seem to provide a grim forecast of his premature end only two years later. Klein, however, harboured no deathwish. He probably drove himself too hard, and conveyed in his fire paintings a fascination with destructive forces. Even so, the point about his experiments with a flame torch, when he burnt charred and smoking images into the lava-like surfaces of his panels, lies ultimately in their power to transform.

Throughout all the multifaceted strands of his brief yet inventive career, Klein pursued renewal rather than extinction. On the evidence of this lucidly ordered survey, he managed to turn the most transient of moments into lasting images.

Yves Klein: *Leap into the Void* at the Hayward Gallery, SE1 (0171-929 9800), until April 23

AROUND THE GALLERIES

TERRY SMITH has made a literal intervention into the Adam Gallery by cutting the converse or reverse imprint of a pillar out of the plaster on the wall. The top of a column in one corner is affectionately and painstakingly delineated while another architectural detail is carefully drawn, but placed across the wall in the other room. The white paint that covers the pebbledash wallpaper of this quiet, unassuming gallery is disrupted only by this patently handmade intervention, and the piles of rubble that lie beneath. Adam Gallery, 62 Walcott Square, London SE11 (0171-552 1260) until Feb 25

FILLED with the expectation of performance, subsumed with the soft promise of inevitable escape: the interiors, curtains, lighting and "ambiance" of the proper big screen are brought to you by Bridget Smith's huge colour photographs. Light plays upon the uniform folds of mauve, blue and yellowing velvets and satins to make shallow seas of contrast. Screen curtains at the Empire, Odeon and Curzon cinemas have been photographed straight on. Frills and ruffles of pelmet and flounce build up to frame a vision of anticipation, while light picks out a rhythm of empty chairs. Entwistle, 37 Old Bond Street, London W1 (0171-499 5795) until March 18

THE most straightforward of the "4 Projects" is by Fiona Banner, whose handwritten word-for-word account of the lunar landing in 1969 makes an effective silent sound-piece, and whose storyboard of the same moment steers us compellingly through the experience. Most of the works, though, are visually unworldly, and function rather like puzzles. Frith Street Gallery, 60 Frith Street, London W1 (0171-494 1550) until March 4

GEOFFREY RIGDEN'S paintings are an accumulation of experience. Layers of understanding about early Modernist painting seem to build up a sense of assurance and confidence that lies, not so much in a display of the activity, but in the result. His pictures are small and self-contained and carry no obvious reference to actuality or continuity elsewhere. Instead of appearing to be pastiche they function fundamentally. *Cavafy* is a spare black painting reminiscent of topographical works, in which the view shifts round and up from the front. There are also a number of constructions that have a reality which lacks the excellent level of illusion in the paintings. Francis Graham Dixon Gallery, 17-18 Great Sutton Street, London EC1 (0171-250 1962) until March 11

SACHA CRADDOCK

DANCE: A new talent goes half-way

Come-to-bed lies

BUNTY MATTHIAS comes with an impressive CV. Trained at the London School of Contemporary Dance, principal dancer with Bill T. Jones/Arnie Zane Company in New York; stints with choreographer Twyla Tharp and film director Spike Lee. With Doris Saatchi as her company's patron, she has the right connections, too. And the right following - witness three sold-out shows at the South Bank last weekend.

But what about the work? Does her new piece, *You Want My Want*, deserve its considerable hype?

The answer is - not yet. With a first half that establishes Matthias as a choreographer possessed of some stimulating ideas, and a second half that finds her descending into a safety net of generic step-building, *You Want My Want* fails to sustain itself as an evening of accomplished dance-making.

The ingredients are designed to please a subject-matter that explores sexual greed: music (including a commissioned score from Soul II Soul producer Jazzy B) with a funky coolness; costumes (from trendy outfitters New RenaisCance) that hide nothing.

We are in a flesh market, where sampled moans of sexual pleasure and projected images of erotic arousal set the scene. Dancers (three men and four women) exude narcissistic self-absorption, caressing their own bodies, luxuriating in the awakening of each muscle, readying themselves for the sex act.

The movements are both graceful and primitive: dancers crouch in a kind of animalistic sexual expectation; pelvises are thrust skywards in crude poses; the partnering is rough and impersonal. The monochromy of the silvered costumes, so tight they could be spray-painted on to the dancers' bodies, suggests

the participants are as cold as metal, their suits of armour protecting them against emotional involvement. The brightly coloured rubber banners that link them imply they are no bondage, but there are no apparent victims in these couplings. Everyone knows what they want, and everyone appears to be getting it.

By the second half, though, choreographic intention is not so clear. The performance poet Etua Baker (a voodoo priestess, a Matthias alter ego?)



Bunty Matthias: does not capitalise on her strengths

delivers a fractured, repetitive rap monologue about power and desire. The performers, including Matthias, cover more space than before. The choreography starts to flow; the partnering is more supportive; the sexual connotation less blatant. The sustained streetwise energy of the dancers is impressive, but the steps themselves have a deadening familiarity - the lifts predictable, the spiralling turns and intermittent jets as classroom exercise.

Still, failing to capitalise on her own strengths is not such a sin for a 30-year-old choreographer who has just made her "third serious piece". Let us hope that time and experience will now bring her ideas into sharper focus.

DEBRA CAINE

CONCERTS: Expert interpretations of a symphony and chamber music by Shostakovich

Learnt from a pupil

Philharmonia/
Sanderling
Festival Hall

ONE CANNOT but be struck by the contrasting stage presences and musical sensibilities of Kurt Sanderling and Mitsuko Uchida: he all urbane craginess, she the embodiment of feline grace. When I last heard them together in concert, last June in Brahms's First Piano Concerto, it seemed to me that there was an unbridgeable or at least unbridged - gulf between them.

That the gulf is not unbridgeable in the right repertoire was proved in Sunday night's concert by the Philharmonia (in fine form) under Sanderling, in which he was joined by Uchida for Beethoven's Piano Concerto No 2. Uchida's playing was as exquisitely poised, as sensitively attuned to nuance as ever. But this time Sanderling was on the same wavelength, accommodating himself to the pianist's delicacy with a genial reading of Beethoven's early concerto.

Not that Uchida's playing is ever remotely spineless. Indeed, with its rhythmic tautness and crispness of phrasing it has an underlying strength that enabled her to be struck off Sanderling's similarly alert accompaniment. The close of the Adagio brought them together in a ravishingly conjured atmosphere of spell-binding stillness.

Geniality is hardly the

timbre returns at the close of the Allegretto third movement of the Shostakovich, where the toyshop sounds have a distinctly less friendly quality. In the Adagio finale, the quotations have become a Wagnerian fate motif, and a yearning fragment from *Tristan and Isolde* that spirals into insouciance on each appearance. As the symphony drew to its close, Sanderling and his forces perfectly caught the sense of passion transmuted into serenity, of acceptance of the buffeting of a life soon to be transcended.

The earlier concert offered two works by Ustovskaya given by members of the Philharmonia under the capable baton of James MacMillan: the Symphony No 5 (*Amen*), in which a reciter (Brian Cox) plangently declaims the Lord's Prayer against a spare, elegiac background provided by five solo instruments, and the Composition No 2 (*Dies Irae*), receiving its British premiere, which sets eight double basses against a piano and the ubiquitous plywood cube.

Both works are austere in the extreme: barely intelligible, although undeniably impressive, utterances from one of the most rigorously ascetic composers active today.

BARRY MILLINGTON

Taking a golden bow

Borodin Quartet
Wigmore Hall

SOME ensembles fade into complacency with age. But 50 years after its founding the Borodin Quartet - seemingly a perpetually self-renewing organism (only Valentin Berlinsky, the cellist, remains from the original line-up) - still plays every piece as though it were newly discovered. On Friday, in the last of three celebratory master concerts at the Wigmore Hall, the quartet devoted itself to music by its compatriots.

The opener was Borodin's Second Quartet, the quartet's natural calling-card whose *Nocturno* movement is also that famous tune from *Kismet*. If, over the years, the group might have become wearied by this exotic number's charms, no such thing showed itself in this glowing and immediate account. In fact the entire work glowed, the quartet's rich tone and wide range of colours going hand-in-hand with clear phrasing and balance.

That comes, no doubt, from the fact that the quartet exercises itself not just with Shostakovich's demandingly spare quartet textures but also with such music as Stravinsky's Three Pieces of 1922. These are *dance*, *terse* gestures, the first, *terse*, ever-revolving four-note tune heard over a drone and an

ostinato bass, the next, *Eccentric*, a hunching little comedy act inspired by a sight of the clown Little Titch in performance, and the last, *Chani*, a severe and solemn incantation. The placement of every tiny inflection has to be exactly right: and here it certainly was.

The Borodins turned to Shostakovich after the interval, although not to one of the quartets for which they have done so much. Instead, the pianist Eliso Virsaladze joined them for the Piano Quintet, Op 57, of 1940.

Here the relationship between the two principal parties was dynamic, helped not least by Virsaladze's sheer strength and depth of sound, and by a commitment measured, sometimes, with a slightly distracting grunting noise. No matter. Whether in the neo-Baroque opening Prelude and the slow, severe Fugue which follows, or in the galloping exuberance of the Scherzo and that typically double-edged finale, this was again music-making that really counted.

STEPHEN PETTITT

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LAW

Fighting to the death for a place in chambers

Why are young barristers having to switch to becoming solicitors?

Sally Hughes investigates

Like the Irish and Ireland, for every barrister in practice in the Temple there are ten outside, singing about it. The Bar is littered with lost careers — the result of an oversupply of talented people for what, at its best, is a demanding, rewarding and high-status job. As opportunities for advocates open up elsewhere, Bar "rejects" are opting wholesale for the solicitors' branch of the profession.

The staggering attrition rate among newly qualified barristers is traditionally matched only by resting actors. It has intensified with a decline in the work of the "young" Bar, just when more, and better-trained, recruits are qualifying than ever before. About 750 Bar finalists in the class of '88 were whittled down to just over 400 tenants of chambers after two years' call. In recent years, more than 1,000 finalists have chased about 500 tenancies, competing with a growing band of "squatters" and the euphemistically termed "third six-month pupils". They, and the rest of the young Bar (tenants of one to five years' call), have endured an unprecedented fall in work, particularly in crime. Between 1991 and 1993, the average number of court appearances for all barristers declined from almost four to just over three a week.

After the introduction of the new Higher Courts Advocacy qualification for solicitors this summer, barrister transfers across the professional divide trebled.

Mark Hone, the head of the Law Society's Transfer Unit, says that if the trend continues, up to 240 will switch in the coming year, most of them from the "young" Bar.

The market for newly qualified solicitors is tough, and the experiential requirements of switching also load the dice away from inexperienced pupils. Far from just mopping up supernumerary squatters, amplification of the trend could seriously affect the future development of the Bar.

Switchers include significant numbers of junior tenants, recruited by firms for their advocacy skills.

Barristers with at least two years' post-qualification experience can apply to the Law Society for accreditation before taking the Society's Professional Conduct and Accounts Examination. They are joined by foreign lawyers seeking an English qualification. In 1994, applications from all sources rose by 300 to 915.

The roots of the malaise of the junior Bar do not lie simply in the reforms of the Mackay era. The institutional reasons are imbedded in a longer-term failure to develop a business structure and corporate ethos to match the modern world. Established practising barristers are typically overworked — to a pathological extent in some cases. Despite claims of numerical expansion at the Bar, it has not kept pace with the rate of expansion in the legal services sector generally. And recent expansion is offset by falling court appearances.

Most barristers' chambers are a collection of individualists for whom "strategic planning" sounds like preparation for a difficult cross-examination. There is no incentive to develop anybody else's career but their own. Inviting someone to join an established set is an ambivalent exercise, especially for the junior tenants, who will be competing with any newcomer for briefs coming in, via the clerks.

The Temple is rife with stories, particularly in these straitened times, of some of the best candidates being turned down precisely because of in-house competition. Nepotism still rules in some quarters. It was ultimately courageously acknowledged by Nadine Radford, a distinguished junior criminal practitioner, at the 1993 Bar Conference, that many places in the Temple are blocked by middle-ranking deadwood, unshiftable because tenancies are, for practical purposes, for life. Switching to the solicitors' branch, sneered at as an escape into unambitious, salaried security, has taken on a new meaning since the advocacy reforms. Growing numbers of disillusioned young barristers have watched their practices languish as senior colleagues consolidate the available work into even more overtime for themselves. The prospect five years on looks like more of the same.



Sally Hughes outside the Law Society's headquarters: There is a malaise in the junior Bar

Pressures to streamline and simplify litigation, and to make the legal-aid fund go further, will fuel a market for cheap, low-level freelance advocacy, coupled with new demands for top-level specialist advice that the knockabout common law Bar is incapable of meeting. In the middle is a daunting experiential gap which only a few specialised chambers are willing to fill by training and developing careers long term.

Becoming a solicitor holds out the prospect of managing change — corporate and personal — and exerting a degree of control over one's professional environment in the context of a stable, developing career-structure.

● The author, called to the Bar in 1992, now works for Christian Fisher & Company, solicitors.

An Oxford professor attacks a report on 'recovered memories'. Frances Gibb reports

A fresh and blistering attack on the recent British Psychological Society working party report on "recovered memories" as "badly flawed" and "misleading" has been delivered by Professor Larry Weiskrantz, Emeritus Professor of Psychology at Oxford University.

Professor Weiskrantz, a prominent critic of "recovered memories", lists what he sees as the many weaknesses in the report published last month and says: "For a working party of senior standing dealing with such a serious issue, one might have expected a higher standard of analysis that would have displayed a transparent and studied neutrality about matters where evidence is lacking."

His article, in the latest issue of *The Therapist*, Journal of the European Therapy Studies Institute, will fuel the

Hypnosis inquiry fuels new debate

current debate on whether "recovered memories" of previously forgotten childhood trauma, such as child abuse, are reliable.

The British Psychological Society report found from a survey of more than 800 psychologists that a majority of the profession believed such memories were largely reliable, although they also said false memories could be implanted by poor therapeutic techniques.

A number of families in Britain are

claiming false accusations of sex abuse after an adult son or daughter's therapy and "recovery" of memories of childhood trauma. In Britain, the False Memory Society, set up by accused parents in 1993, is backing the first couple to sue a psychologist for malpractice.

The legal actions come in the wake of a law suit brought by Gary Ramona, a Californian executive who successfully sued two therapists whom he accused of implanting false memories in the

mind of his daughter. Several similar legal actions are pending in the United States.

The Home Office has issued guidelines that advise against the use of hypnosis to help witnesses to remember crimes. But the British False Memory Society maintains that these are being ignored.

There is thought to be only one criminal case so far in which the syndrome of "recovered memory" has featured: an accused father was recently acquitted of rape and indecent assault after a court was told that his daughter's account could have come from "phantom memories" induced by counselling.

● Recovered Memories (£10) from the British Psychological Society: 0533 549 568.

When justice went Wilde

One of the classics of legal literature concerns the destruction by the legal process of a literary genius



Tonight is the hundredth anniversary of the first performance of *Being Earnest*. Four days after that opening night, on the afternoon of February 18, 1895, the eighth Marquess of Queensberry called at Wilde's London club and provoked one of the most disastrous legal actions ever to be commenced. Potential litigants should reflect long and hard on the fate of Oscar Wilde before authorising their solicitors to commence legal proceedings on their behalf.

The Marquess of Queensberry handed to the hall porter a card on which he had written, "To Oscar Wilde, posing as a sodomite", misspelling the final word in his fury at the friendship formed by his son, Lord Alfred Douglas, with Wilde. On receiving the card a fortnight later, Wilde sought advice from his solicitor, Charles Humphreys, on bringing proceedings for criminal libel. Humphreys advised: "If you are innocent, succeed." He instructed Sir Edward Clarke, QC, a former Solicitor-General, who accepted the brief only on being assured by Wilde that the charges were "absolutely false and groundless".

Lord Queensberry's solicitor was Charles Russell. On the advice of his father (Lord Russell of Killowen, the Lord Chief Justice), Russell briefed Edward Carson, QC, for the defence. Carson had been a student with Wilde at Trinity College, Dublin. When Wilde was told he would be cross-examined by Carson, he replied: "No doubt he will perform his task with all the added bitterness of an old friend."

The trial of Lord Queensberry on a charge of criminal libel opened at the Old Bailey on April 3, 1895. During his cross-examination by Carson, Wilde became over-confident. Carson asked about a young man called Walter Grainger, a servant at a house where Lord Alfred Douglas had rooms. "Did you ever kiss him?" asked Carson. "Oh, dear not," Wilde replied. "He was a peculiarly plain boy. He was, unfortunately, extremely ugly."

Wilde wisely accepted Sir Edward Clarke's advice to withdraw the prosecution, because the jury was certain to find in favour of Lord Queensberry, and because of the need to protect Wilde from damaging evidence about his sexual preferences which would make criminal proceedings against Wilde inevitable. The trial judge, Mr Justice Henn Collins, wrote to Carson: "I never heard a more powerful speech or a more searching cross-examination. I congratulate you on having escaped most of the fifth."

Instead of taking the opportunity to leave the country before he could be prosecuted, Wilde went to see another solicitor, Sir George

Lewis, who said he could do nothing at this late stage. "If you had had the sense to bring Lord Queensberry's card to me in the first place," Sir George explained, "I would have torn it up and thrown it in the fire, and told you not to make a fool of yourself."

Wilde was prosecuted for committing acts of gross indecency with various men. Clarke (and his junior counsel) offered to represent Wilde without a fee, an offer he gratefully accepted. The second trial — this time with Wilde in the dock — began at the Old Bailey on April 26, 1895 (Victorian lawyers would be astonished by the delays in criminal trials a century later).

The prosecuting counsel, Charles Gill, read out some of Wilde's letters to Lord Alfred Douglas and asked the defendant: "Do you think an ordinarily constituted being would address such expressions to a younger man?" Wilde replied: "I am not, happily I think, an ordinarily constituted being." He had formed a friendship (and no more than that) with various young men because he was "a lover of youth". The jury was unable to reach agreement, and so was discharged.

For the third trial (which began on May 22, 1895), the prosecution was led by Sir Frank Lockwood, the Solicitor-General. During the course of the proceedings, Sir Edward Clarke had cause to complain that the Solicitor-General had forgotten that "he is not here to try to get a verdict by any means he may have, but that he is here to lay before the jury for their judgment the facts". This time, the jury found the writer guilty of various acts of gross indecency.

Astonishingly, Mr Justice Wills told Wilde that "it is the worst case I have tried", and sentenced him to the maximum two years' imprisonment with hard labour. Wilde was released from prison in May 1897. Apart from *The Ballad of Reading Gaol*, he wrote nothing of substance after his ordeal because, he explained, "my first year in prison destroyed my body and soul". Wilde died in Paris on November 30, 1900.

All of these extraordinary events are described by H. Montgomery Hyde in *Oscar Wilde*, first published in 1948 in the Notable British Trials Series, and recently republished by Penguin Crime in the Famous Trials series (£6.99).

It is ironic that the subject matter of one of the great classics of legal literature is how a literary genius was destroyed by the legal process. As the audience is told in Act I of *The Importance of Being Earnest*, "truth is rarely pure, and never simple".

● The author is a practising barrister and a Fellow of All Souls College, Oxford.



DAVID PANNICK QC

THE TIMES CONFERENCE ON WOMEN LAWYERS

A woman's place in law.

A one-day conference provocatively entitled *The Woman Lawyer: Benefit or Burden?* will be held at the Law Society headquarters in London on April 8. Readers are invited to attend the conference, which is aimed at lawyers, managing partners, heads of chambers, personnel managers, clerks and administrators. It is sponsored by *The Times*.

The morning session will open with a debate on sex discrimination laws, followed by a keynote address by Lord MacKay of Clashfern, the Lord Chancellor. The afternoon will be split into sessions on Women at the Bar, Women Solicitors and A Changing Direction, each with a top speaker.

The conference will end



Barbara Mills, QC, panellist

with an open session, to be moderated by Lord Taylor, the Lord Chief Justice. The panellists include Barbara Mills, QC, the Director of

Public Prosecutions; Kamlesh Bahl, the chairman of the Equal Opportunities Commission; Henry Hodge, deputy vice president of the Law Society; Peter Goldsmith, QC, the Bar chairman; Mrs Justice Hale and Cherie Booth.

The cost, including lunch and evening reception hosted by Mercury and Allied Dunbar, is £95, plus VAT; if booked before February 17, otherwise, £125, plus VAT. A limited number of student places is available at £65, plus VAT.

The conference also devotes two hours towards continuing professional development.

● Forms and programmes from *Blair Communications and Marketing* (0171-722 9731, fax 0171-586 0639).

Who needs London?

MR Justice Parker, a High Court judge, is out to sell the advantages of local justice for cases that always used to come to London.

As vice-chancellor of the County Palatine of Lancaster, he will be spending nearly four months in the North of England hearing Chancery cases and has gone out of his way to let litigants and law-

yers know of the benefits of processing and handling there.

Senor Valentino

LOOKING for a lawyer to love this Valentine's Day? *In Brief* magazine has identified the perfect candidate. Her name is Senor Valentino. He is a 64-year-old Peruvian lawyer, who produced a brochure which included pictures of himself in various states of undress, posing in the office, on a motorcycle and in court. However, says Mr Rojas: "In all of

INNS AND OUTS

them, I am wearing a tie and holding legal documents so customers will know I am a qualified professional."

Streetwise

TENANTS fed up with bad housing and being treated as second-class citizens can learn how to fight back. Lawrence Graham, a London law firm,

and Waltham Forest Housing Action Trust, are holding a seminar on February 27 to explore ways to boost tenant influence on housing, jobs, education and environment.

Simon Randall a partner, says: "The tenant empowerment issue has come to the fore because of the limited success of earlier attempts at urban regeneration. Empower-

ment policies allow tenants to take back their streets."

● Lawrence Graham: 0171-379 0000

Tout rout

FROM this week, the law on ticket touting is tougher. Under the Price Indications (Resale of Tickets) Regulations, 1994, now in force, touts will have to disclose the face value of theatre and sports tickets on pain of prosecution.

Fuming

A MOTHER in New York has lost a custody battle over her two children because she smokes. The judge found that smoke caused the daughter to suffer asthmatic attacks, and held that the mother could be liable for neglect if she subjected her daughter to a smoky atmosphere.

Time up

AS Lord Woolf begins his two months of purdah to find solutions to the problems of costs and delays in the civil courts, he may regret that nobody implemented proposals put forward 13 years ago for shortening hearings. David



Lord Woolf: regret?

Freeman, now a consultant with D.J. Freeman, the firm he founded, wrote a paper for the Law Commission. Many of its proposals strike a chord with what senior judges are now urging: strict timetables for the stages of proceedings, backed with the penalties of costs when litigants fail to comply. Mr Freeman says: "I still believe in these ideas. They may be heretical and difficult, but if they were put into effect, cases might start to move."

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NEW LAW JOURNAL

In the next issue ...

In *Scarcity and fair rents*, Professor Alan Prichard of Nottingham University goes back to first principles: just how does one assess levels of scarcity? he asks.

In *NLI* this week, you will also find the complete guide to *Running a lottery syndicate* by Dr Harold Wilkinson, including a precedent for a 'Lottery Syndicate Agreement'.

● Another step towards a right of privacy—solicitor John Gardiner reports on the decision against Central Independent Television.

● This Week's Practitioner section continues the *Complete Guide to Money*

Laundering and includes the regular round-up of crime, tax and family law. Peter Hutchesson, *AN ER* editor-in-chief, reports on *Regina v Secretary of State for the Home Department* and another, *ex p Khan*.

For a free sample copy of *NLI*, please call Mark Arnold now on (0171) 400 2955

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It is not always easy to persuade candidates who work for large City firms to go to interviews with smaller firms, even if the small firms are niche practices well-known in their field. For some of them, such an excursion would be a voyage into unknown territory.

Most of these candidates have spent their working lives within the magic circle of the top corporate practices. The ethos of these firms and their superb reputations makes any move to a small firm extremely difficult. To mention the possibility of such a move to friends or colleagues invites the inevitable response: "You can do better than that." Such a comment, on the surface encouraging and supportive, is in truth discouraging. Self-confidence and determination are needed to remain undeterred by it.

If these candidates do go to see smaller firms, especially successful niche firms, they often seem surprised by the quality of work handled and by the high level of partner earnings. They are also struck by the close personal relationships which the partners seem to develop with their client chairmen and managing directors.

There is such a variety of niche practices that it is difficult for anyone to know how each of them is doing. Some are remarkably successful; others less so. It is unfortunate if candidates should allow any general prejudices to close off potentially suitable openings.

Michael Chambers

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CITY **COMMERCIAL PROPERTY**
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Above is but a small representative sample of some of the vacancies we have registered with us from law firms throughout London. For more information on our services telephone us or alternatively write to us at 4 Bloomsbury Place, London WC1A 2QA; 137 Newhall Street, Birmingham B3 1SF; 22 Deansgate, Manchester M3 1PH; 31-33 Cove Street, Bristol BS1 1HT; or 32 Sovereign Street, Leeds LS1 4BJ. All enquiries will be treated in strictest confidence. Only Charles Fellowes are able to keep a Watching Brief on your career.

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Full information about this post is available in an Information Pack which can be obtained by calling Bristol (0117) 967 4800 (answerphone on this number after office hours) or by writing to The Clerk, New Avon and Somerset Police Authority, c/o PO Box 270, Avon House, The Haymarket, Bristol BS9 7HE. Please quote reference POL/3/T2. Application by form only which must be received by 12 Noon on 3 March 1995.

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Closing Date for the return of Application Forms: 6th March 1995.



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SHORT-TERM CONTRACTS ...THE WAY AHEAD

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EMPLOYMENT

National firm seeks solicitor with 3 years' ppe for London office. To assist with both contentious and non-contentious work - employer and employee. The contract will be open-ended at this stage. Ref: 19833

BANKING

Leading insurance group, based in Manchester, seeks non-contentious banking lawyer to cover maternity leave (April for six months). Areas covered will include syndicated loans, venture capital, stock lending and derivatives. Ref: 19771

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Specialist Engineering Group with operations both in the UK and Europe require mature commercial lawyer for 1-3 month contract. Position will involve providing full range of legal support to Director of Legal Affairs. Acquisition and disposal experience essential. Position based in Oxfordshire. Ref: 19294

CONTRACTS

Team of solicitors sought for leading commercial firm to assist in the drafting, negotiation and completion of contracts. Must be at least 2-3 years' ppe, diligent and able to work well under pressure. Immediate start through to December 1995. Ref: 19773

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COMMERCIAL PROPERTY

2-3 year qualified solicitor required by city firm for 15 month contract. Candidate should have minimum commercial property background and will be required to assist with negotiations in respect of leases. Ref: 19260

LITIGATION/NON-CONTENTIOUS

Solicitor with minimum 3 years' experience sought by District Council, based in Hertfordshire, for 2 year contract. Local government experience useful but not essential. Application will be required to attend various committee meetings and will be required to conduct own advocacy. Ref: 19680

For further information about these and other vacancies please call Nicky Rushford-Jones or Emma Hughes on 0171 405 6062 (0171 350 0632 evenings/weekends) or write to us at Special Projects, Lawyers, 39-41 Bedford Row, London WC1R 4JH. Confidential fax: 0171 831 6394.

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Please send a comprehensive curriculum vitae, detailing current remuneration to P J Johnston, Manager, Human Resources, Mobil Oil Company Limited, Mobil House, 54-60 Victoria Street, London SW1E 6QB.

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Applications, which should include the names of two referees should be received by 15th March 1995 and should be marked "Private & Confidential". Further information can be obtained by telephoning my Deputy, Brian Colbeck, on 0220 243161

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For further information in complete confidence, please contact Greg Abrahams or Emma Cowell (both qualified lawyers) on 0171-405 6062 (0171-266 5601 evenings/weekends) or write to them at Quarry Douglas Recruitment, 37-41 Bedford Row, London WC1R 4JH. Confidential fax: 0171-831 6394.



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Public service or ambulance chasing?

Should lawyers encourage victims to take on the might of big industry?

Martyn Day on the role of group actions

There has been a spate of media reports recently on large numbers of people who have been injured or killed as a result of some alleged problem. The Cook Report has looked into cot deaths, and the victims of hepatitis C, steroids, the MMR vaccines, and the Gulf War Syndrome. In each case, lawyers have been quoted as saying either that there are claims already on-going or encouraging claimants to come forward.

Though these "group" actions are not unheard of, their numbers are at an unprecedented level and lawyers have undoubtedly been at the forefront of encouraging victims to join in.

Two questions have been raised in relation to the role that lawyers have adopted. Should the law be involved at all in attempting to resolve these issues and, at a time when many lawyers are taking a far more pro-active stance, is there a dividing line between ambulance chasing and the performance of a genuine public service?

For journalists, finding a link between some agent and a series of illnesses is one of those breakthroughs that could make their names. In 1983, James Cutler, for Yorkshire Television, produced a programme which showed a cluster of childhood leukaemias around the Sellafield nuclear plant. The response to the programme was quite phenomenal. An independent inquiry was set up and since that time millions of pounds have been spent on researching the phenomenon. Cutler has made his name.

Roger Cook's programme attempted to show a link between the

antimony in certain fire-resistant mattresses and cot-death syndrome. There are occasions when journalists covering this type of issue leave it hanging in the air and people are left not knowing whether the allegations made are correct. This is a particular problem for the victims themselves.

There are three ways that such reports are followed through: the Government announces an inquiry (which is rare), scientists in the field conduct experiments to follow up on the allegations, and/or lawyers can pursue claims on behalf of the victims.

We should assist victims, not cause misery

A very poor place for the assessment of whether or not a hypothesised link is true.

It seems to me that while this might be true for society at large, for the alleged victims or their families it is far from true. For them, they are not an objective statistic in some study, and their pain and anger at what has happened to them cannot be assuaged by a government committee, meeting endlessly, considering evidence in private and often providing an anodyne report which fails to explain reasons or to apportion blame.

Victims want and need to have some degree of control over the process of uncovering the truth. They want some control over the gathering of the evidence and the presentation of the arguments and,



At a time when many lawyers are taking an increasingly active stance, is there a dividing line between ambulance chasing and the performance of a genuine public service?

most of all, they want someone that they can trust to look carefully at the evidence and tell them whether or not the link is true.

Many people are not prepared to accept the word of a government minister saying that there is no link, and where scientists say the link is not proven, the question always arises as to what that means. To what level of proof are they making this statement? They rarely know themselves, never mind explaining their position to the public.

The one person whose judgment victims are generally prepared to accept is that of a judge. People feel, rightly or wrongly, that they are independent, will review the evi-

dence fairly and come out with a balanced decision on whether or not, on the balance of probabilities, the link is proven. That is the level of proof to which most people can relate.

Society could say to the victims that taking their cases through the courts is too expensive a way for them to obtain justice, particularly because a proportion of the costs usually comes out of the public purse. I would immediately accept that as a lawyer who makes his living from working on these cases, I am biased. Yet it seems to me that to ensure that individuals are given the power and resources to take on

the might of big industry is to provide one of the fundamental freedoms of a sophisticated democracy.

To deny victims this right is to take away an important safety valve and an important platform where their concerns can be considered.

On the second issue of the role that lawyers take, it seems to me there is a delicate balance for those of us who are involved in this type of work between letting people know that there is the possibility of legal action and feeding off the concerns of the victims. It is easy for a lawyer to stand up and say that there are grounds for a legal action, having done next to no research on

either the science or the law before making that statement. That seems to me to be wrong.

When lawyers make such a statement they are taking on a real responsibility to ensure that what they are saying is correct. For the victims, such a statement may well seem like a beacon of light.

Where the statement is clearly wrong, and the case quickly folds through lack of evidence, the weight that the lawyer has added to the burden the victim is already shouldering is quite unforgivable. It is our role to assist victims, not cause them increased misery.

To encourage victims to come forward on the basis that there is a claim is not a step that solicitors

should take lightly. If necessary they should have talked to other lawyers and scientists before they are prepared to suggest that a claim can be brought.

Group legal actions are an important way of empowering victims and should continue to be supported. The spotlight, however, is on those lawyers who undertake this ground-breaking work.

In such actions, it is important for us, the lawyers, to retain the trust of the public — a trust that depends on our doing our homework before speaking out — and not shooting from the hip.

● The author, a personal injuries solicitor, is involved in the above kind of cases.

What are the spin-offs for the legal profession from the changing face of British retailing?

Lawyers set store by shops

In the week when the Church Commissioners put up for sale the Metro Centre in Newcastle and the plug was finally pulled on the Rumbelows retail chain, there was a grain of wisdom in the observation by John Redwood, the Welsh Secretary, that if you were tired of shopping, you are going to the wrong shops. Translated for lawyers, it meant that if you are not doing retail property transactions right now, you have got the wrong clients.

Even apart from the Metro Centre sale, it is estimated that the value of shopping centre deals to be announced this month will exceed £300 million. Although some lawyers had feared the revival in the retail property market was slowing down, the recent announcements show that it is far from being the case.

The picture is, however, complex. As Steven Fogel of Titmuss Sainer Dechert em-

phasised last week, "The retail property field is a series of different markets. It is almost impossible to generalise." Most of the big work now is coming from transactions involving out-of-town shopping centres.

Adrian Biggs of Eversheds Jacques & Lewis, said: "Even when the commercial property market was at its gloomiest, there was still a reasonable level of retail work. Now we are seeing quite a lot of activity. We are certainly busier than this time last year."

The race for the best sites between Tesco and Sainsbury has been one of the driving forces behind the availability of work for retail property specialists. However, now the race is slowing down, lawyers are expecting that other clients

will be eager to move to out-of-town centres if only because it may soon be too late. Government policy no longer favours such development.

Mr Biggs said: "Following the line adopted by the Department of the Environment in its Planning Guide No 6, there is a presumption against giving consent to new out-of-town or edge-of-town developments. So clients want to get into those already established."

Some lawyers expect a lively battle over sites that have been given outline consent but may be turned down at a later stage. If that happens often, clients are likely to lose interest in pushing against the closed door.

Roger Bullworthy of Penningtons, said: "There are some developers who have already become tired of going to appeal and losing over new out-of-town developments. So we might be facing a slowdown in that kind of work."

Service on a broad base is sought

teness on new opportunities may, therefore, force developers and retailers back into town centres. This could be good news for the disposal of the Rumbelows chain, despite the fact that in many cities there is already an over-supply

of shops on the market.

According to Louis Marches of the Aldwych firm Marches & Co, it is simply a matter of being realistic. "If the seller has a reasonable site and is looking for a realistic price," he said, "there is no reason why he shouldn't get a deal."

The best service that a lawyer could offer to a client in this market was to be commercially minded. It was significant, perhaps, that Lesley McDonagh, Lovell White Durrant's new managing partner (an appointment announced last week), had established her reputation as one of the most commercially minded property lawyers in the City.

Robert Kidby, a Lovell

White Durrant partner, said that Ms McDonagh, who is the first woman to head a top ten London firm, epitomised the way in which property lawyers today have to be acutely aware of commercial reality.

Mr Kidby said: "Retail property deals are now so large that they have become very widespread transactions involving a number of different skills. My perception is that the big clients are, therefore, turning to the firm that can offer the total service in banking, planning and property."

"In other words, they are looking for quality services on a broad base."

"Born to shop" may be the motto which is every Briton's birthright. But where they shop and how they shop is now being shaped by lawyers as much as retailers.

EDWARD FENNELL



Metro Centre: lawyers step in to ease the deal through

Law Report February 14 1995 Court of Appeal

Date of writ cannot be changed

Harrison and Another v Touché Ross (a Firm)

Before Sir Thomas Bingham, Master of the Rolls, Lord Justice Rose and Lord Justice Morritt (Judgment January 30)

The court could not treat a writ as issued months before or after the date it was in fact issued.

Where therefore the plaintiff's writ claiming damages in contract and tort had not been regularly served during its validity, so that the claim in contract had become time-barred before the defendant firm was aware of the proceedings, it was not open to the court, having refused to extend the writ's validity under Order 6, rule 8 of the Rules of the Supreme Court or to waive its irregular service under Order 2, rule 1, to treat the writ as issued and validly served on the first date that it had come to the defendant's attention.

The Court of Appeal so held, allowing an appeal by the defendant, Touché Ross, from Judge Rich QC, sitting as a judge of the High Court who, having (i) refused an application by the plaintiffs, Peter Harrison and John Harrison, for an extension of the validity of their writ issued on July 8, 1992 against the defendant and (ii) refused to treat irregular service of the writ, in failing to comply with Order 81, rule 3(3), on November 6, 1992 as good service, had directed that the writ be treated as issued and served on November 9, when it came to the attention of one of the defendant's partners.

Mr Michael Briggs, QC, for the defendants; Mr Peter Roth for the plaintiffs.

THE MASTER OF THE ROLLS, giving the judgment of the court, referred to the judge's unchallenged findings, in refusing the application under Order 6, rule 8, that no satisfactory explanation had been given for the plaintiffs' failure to serve within the period of the writ's validity and no good reason had been shown for extending its validity beyond the limitation period: see *Kleinwort Benson Ltd v Barbak Ltd* [1987] AC 597. Mr Briggs had argued that the effect of the judge's order was not

to validate the original writ, issued in time for purposes of both contractual and tortious claims, but to validate service of a notional new writ issued and served on November 9, that the rules conferred no jurisdiction to do that; alternatively, that since the effect of the decision was to grant a partial extension of the validity of the writ in circumstances where no good reason could be shown, the order represented an impermissible exercise of discretion.

Mr Roth, supporting the judge's order, had argued that the court's jurisdiction under Order 2, rule 1 was very wide, enabling the judge to make such order as justice required; that the judge had exercised his discretion so as to ensure that the defendant would be exposed to no liability to which it might not have been exposed had the plaintiffs issued proceedings on the date when the proceedings had in fact come to the notice of one of the defendant's partners, and that that exercise of discretion should not be disturbed.

His Lordship referred to *Leal v Dunlop Bio-Processes International Ltd* [1984] 1 WLR 874; *Boocock v Hilton International Co* [1993] 1 WLR 1065; *The Golden Mariner* [1990] 2 Lloyd's Rep 213; *Khokhar v Post Office Counters Ltd* (unreported, November 9, 1994, CA (Civ) Transcript No 1321); *Ward-Lee v Lineham* [1993] 1 WLR 754; *Barr v Barr* [1994]

PIQR 945 and *Singh v Dupont Harper Foundries Ltd* [1994] 1 WLR 769.

Against the starting point was the *Kleinwort Benson* case. In the present case no satisfactory explanation had been given for the failure to serve within the validity period and good reason had not been shown for granting an extension.

The irregular attempt to serve within the validity period had been ineffective to bring the proceedings to the notice of the defendant, and the defendant was unaware of any impending claim, so that the substantial object of the rule as to service had not been achieved.

The judge had rightly refused to grant an extension under Order 6, rule 8 and to waive the irregularity under Order 2, rule 1.

Although he was not invited to waive the irregularity under Order 2, rule 1 and grant an extension under Order 3, rule 5, he could not have done so without undermining the effect of the *Kleinwort Benson* case.

The result he wished to achieve was one whereby the writ was treated as effectively served on November 9, so as to stop time running on the claim in tort, but not so as to defeat the limitation defence in respect of the claim in contract which had accrued.

Accordingly, it was essential that the writ should also be treated as having been issued on that date

and not earlier. Thus the order provided that the writ be treated as issued on November 9. But, as was apparent from its face, it was issued over four months earlier.

In the court's opinion it was not open to it to treat a writ as issued months before or after the date it was in fact issued. The time of issue not only affected the substantive rights of the parties to the action but might also affect the rights of third parties.

Order 6, rule 7(3) provided that a writ was issued on its sealing. It might be that the court might treat as issued a writ delivered into its custody at a time when the relevant registry was not open.

That practice, approved in *Ja re Nijmegen* [1967] Ch 513 was now expressly provided for in Order 6, rule 7A in the case of the Admiralty and Commercial Registry.

But neither that principle nor that rule was applicable here and no other rule authorised the court to do what the judge had done.

The judge had accordingly made his order without jurisdiction. But even if he had had power to make the order, it represented an impermissible exercise of discretion since its effect was to extend the validity of the writ in a situation where an extension could not be justified.

The appeal would be allowed. Solicitors: Fladgate Fielder; Bloom Camille.

Tablets can be medical reason

Wade v DPP

Where under section 7 of the Road Traffic Act 1988 a person was requested to give reasons why a blood specimen should not be taken, the response that he took tablets was capable of being a medical reason.

The Queen's Bench Divisional Court (Lord Justice McCowan and Mr Justice Dyson) so stated on February 6 when allowing an appeal by Malcolm Lindsay Wade by way of case stated from his conviction by Kewick Justices on March 4, 1994 of driving with

excess blood alcohol contrary to section 5(1) of the Road Traffic Act 1988. He had been fined £200, had his licence endorsed and was disqualified from holding a licence for three years.

LORD JUSTICE McCOWAN said that Mr Wade's response that he took tablets had to be taken as to representation as to which specimen, urine or blood, should be taken, and it was for the officer to decide which. He chose blood.

There was no evidence that the police officer had taken the answer into account or considered whether

it should be a medical reason. On the face of it, the reason given was a medical reason because the use of tablets could have affected the blood analysis or the taking of blood could have been medically unwise. Those possibilities might appear far-fetched but it was impossible to know.

The officer had not asked questions. If he had concluded on proper consideration that the response was not a medical reason then he could have taken blood. Otherwise if in doubt he should have obtained a doctor's opinion.

What's behind the green door

BBC lines up cream of French calendar

BY JULIAN MUSCAT

THE BBC is to screen the best flat racing from France during its *Sunday Grandstand* programme after it emerged triumphant yesterday from lengthy negotiations with GIE Galop, the racing authority in that country. Although the BBC's coverage reaches its zenith with a live broadcast of the *Forêt de la Chapelle* in October, armchair viewers can expect regular screenings of group one races in France. Those races not shown live will be screened in delayed broadcast shortly after they are run.

Coverage begins on May 14 with the *Forêt de la Chapelle*, 2,000 Guineas and Prix de la Forêt de la Chapelle. Also in the season's package are the Prix de la Forêt de la Chapelle (French Oaks), which will be shown live, and the Prix de Diane Hermès (French Oaks). Both invariably attract British runners.

The BBC assumes broadcasting rights to French racing from Channel 4, which held the contract until yesterday's announcement. The three-year deal, up to and including the 1997 season, offers the BBC compensation for the loss of the Cheltenham Festival to its arch rival three months ago.

Cheltenham reversal appears to have prompted the BBC into a more aggressive commitment towards racing coverage. Its cameras returned to Ayr last month after an absence of 17 years.

Other French races guaranteed television coverage include the Prix Jacques Le Marois at Deauville, the Arc de Triomphe trials and opening-day highlights of the Arc de Triomphe weekend. The BBC plans to broadcast as many live races as its Sunday schedule permits.

In expressing his delight with the deal, Pierre Charon, president of GIE Galop, said yesterday: "The main feature will be the Arc de Triomphe, which will be covered live by the BBC as one of their major international sporting events."

On the domestic front, Auburn Castle, Dancing Paddy and Dual Image, all candidates for the Arkle Trophy at the Cheltenham Festival, are among eight horses entered for the Michael Seely Nottinghamshire Novices' Chase on Saturday. The race is named in commemoration of the former racing correspondent of *The Times*.

Jimmy Fitzgerald, who trains Dual Image, is particularly keen to land the two-mile event. "Michael and I were great friends and victory would mean a lot to me," Fitzgerald said. "I was very pleased with the way my horse jumped on his chasing debut at Wetherby but we don't know how good he is. The race has been a lucky one for me in the past."

Dual Image's most dangerous opponent is Dancing Paddy, who accounted for the previously unbeaten Gales Cavalier at Ascot last week. Ken Cunningham-Brown, who trains Dancing Paddy, said yesterday: "I think my horse could beat any novice chaser in the land over two miles. If he is available, Norman Williamson will again ride him."

Newcastle received 21 entries for the Tote Eider Chase on Saturday, among them the Grand National winner, Minnehoma, and Tartan Tyrant, from the Gordon Richards stable. The pair were due to clash at Uttoxeter on Saturday until that fixture was abandoned due to waterlogging. Ladbrokes bet 5-2 Tartan Tyrant, 3-1 Minnehoma, 8-1 Run For Free and 10-1 or better about the others.

Rakey Dove, the winner of last year's Champion Hurdle, has been retired to stud after sustaining damage to the tendon in her off-limb. "We'd probably be fine if the Champion Hurdle was two months away," her trainer, Richard Price, said, "but we only have a month and these leg injuries take time to heal."



Fiftysevenchannels leads Bradford Beau on his way to an emphatic victory in *The Times* Rising Stars series qualifier at Hereford

QUEEN MOTHER CHAMPION CHASE

Diffing opinions keep racing going, and when bookmakers disagree punters have the opportunity to seize the best value. The Queen Mother Chase at Newbury on Saturday offered an intriguing clash between two of the market leaders for the Champion Chase at the Cheltenham Festival. Viking Flagship's departure at the fourth last, when he had just edged past Naidir for the first time, left Naidir to cruise home from his only other rival, Britton Lane.

Connections of both horses felt that they may have won, but the ground at Newbury was so testing that the result would have had a limited bearing on Cheltenham in any case. However, the bookmakers had strong views on the race. While Ladbrokes put Naidir's price at 4-1 from 7-1, Corals were less impressed, quoting him at 8-1. That Ladbrokes should take such a strong view may seem surprising, but I believe Naidir was overpriced in the first place, and that on Champion Chase day Naidir will start at around 3-1.

Doubts surround the participation of several of the Champion Chase entries. Bradford Star is more likely to run in the Gold Cup, while Corals and Britton Lane could go for the Grand Annual Chase.

Naidir was unbeaten in four starts as a novice, including an impressive success in the Arkle Trophy at the Festival, where he showed a useful turn of foot from the last. Although soundly beaten by Viking Flagship on his reappearance this season at Sandown, he was probably in need of the run and prefers a left-handed track. His only other defeat over fences came at Kempton after which he was found to have a bad blood count.

An intended runner in the Champion Chase and, according to his trainer, just approaching peak form, Naidir should be backed now at 8-1 with Corals, as they are likely to fall into line with their competitors by the end of the week.

Fiftysevenchannels tunes in to winning frequency

BY BRIAN BEE

THE third renewal of *The Times* Rising Stars hunter chase series got off to a rousing start yesterday when Fiftysevenchannels landed an impressive all-the-way success in the Hereford qualifier.

Under a confident ride from Noel Wilson, the six-year-old readily brushed aside the challenges of his rivals for an 11-length win over Celtic Abbey.

Bradford Beau chased the leader until four fences from home to be succeeded by Lord Of The West. However, his turn at the head of the chasing pack was all too brief as he swiftly weakened and was pulled up.

As the dangers evaporated, Celtic Abbey, who ran a splendid race in attempting to give Fiftysevenchannels a scare, was left to pursue the winner. But his chance disappeared with an error at the second-last fence which his rider, David Jones, did well to survive.

After being denied an outing in the four-mile chase at Uttoxeter on Saturday, Rusty Bridge was diverted here and stayed on well to take third with Andriol the only other finisher.

Fiftysevenchannels is owned by John Cooper, who tried to win the first series two years ago with Mary A Slip. After winning at Kelso, Mary A Slip was injured in the final and, although he was coming

back into work some 18 months later, he injured himself again and was put down last November.

Cooper bought Fiftysevenchannels in Ireland last year to win a bet. He had to have a winner before the end of February and, already successful in a point-to-point, he remained in Ireland to win two more races before being

shipped across to join Tim Walford's string at Sheriff Hutton. Walford and his rider, Noel Wilson, are enjoying a purple patch, having completed six wins and a second from seven outings with five horses.

"When he came from Ende Bolger has been as thin as a rail and looked like a rabbit," Walford said. "I wasn't sure whether that was how he

should look for racing but he's put on a bit of condition now and probably needs another race before he is at his best."

Keith Powell was pleased with the performance of Celtic Abbey. "I take every race as it comes," he said, "but I see no reason after this why he shouldn't take his chance in the Cheltenham Foxhunters."

Rusty Bridge is likely to have another race before attempting the four-mile National Hunt Chase, also at the Festival. Keith Johnson said: "He went well enough here in ground that he hates. I was disappointed he could not go at Uttoxeter on Saturday as I think he had a tremendous chance at the weights."

Fiftysevenchannels may go to Kelso for his next race in another qualifier for *The Times* series. Cooper's wife, Margaret, has one just as good in Country Tarragon and he is likely to run in the other northern qualifier at Wetherby in 15 days' time.

Hereford details
2.30 THE TIMES RISING STARS HUNTER CHASE (Qualifier): amateur, 2.15.30 (m 11.00).
1. FIFTYSEVENCHANNELS (M. N. Wilson, 13-8 lb); 2. Celtic Abbey (M. D. S. Jones, 13-8 lb); 3. Rusty Bridge (M. R. Johnson, 14-1); 4. Lord Of The West (Noel Wilson, 12-1); 5. Andriol (Noel Wilson, 12-1); 6. Celtic Abbey (M. D. S. Jones, 13-8 lb); 7. Celtic Abbey (M. D. S. Jones, 13-8 lb); 8. Celtic Abbey (M. D. S. Jones, 13-8 lb); 9. Celtic Abbey (M. D. S. Jones, 13-8 lb); 10. Celtic Abbey (M. D. S. Jones, 13-8 lb); 11. Celtic Abbey (M. D. S. Jones, 13-8 lb); 12. Celtic Abbey (M. D. S. Jones, 13-8 lb); 13. Celtic Abbey (M. D. S. Jones, 13-8 lb); 14. Celtic Abbey (M. D. S. Jones, 13-8 lb); 15. Celtic Abbey (M. D. S. Jones, 13-8 lb); 16. Celtic Abbey (M. D. S. Jones, 13-8 lb); 17. Celtic Abbey (M. D. S. Jones, 13-8 lb); 18. Celtic Abbey (M. D. S. Jones, 13-8 lb); 19. Celtic Abbey (M. D. S. Jones, 13-8 lb); 20. Celtic Abbey (M. D. S. Jones, 13-8 lb); 21. Celtic Abbey (M. D. S. Jones, 13-8 lb); 22. Celtic Abbey (M. D. S. Jones, 13-8 lb); 23. Celtic Abbey (M. D. S. Jones, 13-8 lb); 24. 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No bed of roses as Snugglebugs and Bambi draw blood

VALENTINE'S Day at Prime Minister's Questions is always a special occasion. It is the MPs' chance to send each other little coded messages, like "I hate you", "I hate you very much", or "I hate you truly, madly, deeply".

Dennis Skinner got the jollies off to a swinging start. Immediately after prayers, a whip, Sydney Chapman, processed, bowing, to the Table. As Vice-Chamberlain of Her Majesty's Household his job is to convey messages from the Palace to the Speaker, and

he had Her Majesty's Royal Assent to a number of Bills, to report. Chapman wore morning dress and carried what is known as the Wand, a very long, slender stick. As Chapman, holding his Wand, prepared for his first bow, Dennis Skinner leapt up, apparently chalking the end of the stick as though it were a brilliant cue.

Minutes later Dame Elaine Kellett-Bowman (C, Lancaster) added to the fun by beating up Virginia Bottomley. Nostrils flared and breast

heaving, the elderly MP rose on the first Question to the Health Secretary, glowering in Mrs B's direction. "Does my Rt hon colleague..." she began...

"Rt hon Friend," corrected a voice behind her. "Colleague," said Kellett-Bowman. This Dame was angry. Angry because Bottomley had been "unfortunately too busy" to receive in person that morning a petition about the threatened closure of blood transfusion centres. Dame Elaine spoke of "criminal folly,"

and sat there, smouldering. Elaine's message to Virginia, scarcely coded, was "snugglebugs does NOT love Ginny".

Dame Elaine is an enthusiast for blood transfusion and doubtless a generous donor herself. Dear reader, should you, after an accident, wake up in intensive care and become conscious of your

nostrils flaring involuntarily, your eyebrows beeling wildly up and down, and a fierce urge to sink your teeth into the nearest shin, ask where they got the blood.

The next Valentine message was equally discouraging. It was delivered to the sweet-natured and rounded junior health minister John Bawls,

and came from a moustache knight of the shires, Sir Anthony Grant (C, SW Cambs). Decoded, this read "Ant nips Cuddlebear". Waving his Order Paper, Sir Anthony berated Mr Bawls on the subject of the transfer of psychiatric patients to Addenbrookes Hospital. The code in which Cuddlebear's reply was couched (about "revolving door cases of the seriously mentally ill") sounded alarming.

PM's Questions came next. This featured a dismaying

exchange of scarcely coded anti-Valentine's between: John "Rabbit" Major and Tony "Bambi" Blair. Bambi sent Rabbit four simply horrid messages, apparently about Britain's poor, but actually on the theme of "Bambi thinks Rabbit's a real meanie-poo". Rabbit sent Bambi four messages back, apparently containing meaningless statistics, but actually saying "Sod off, Bambi".

Only the Tories' Peter Thurnham (Bolton NE) seemed to have grasped the

spirit of Valentine's Day. Presenting Madam Speaker with a rolled copy of his Landlord and Tenant (Covenants) Bill, he also presented her with a single red rose. Surprised, Miss Boothroy took it — and the card that came with it.

None of us knows what the card said. Your sketchwriter peered down, hoping to be able to read Mr Thurnham's writing. I think — but may well be wrong — that it said "Large Woolly Bear wants Pink Piglet for lots of cuddles and spoons".



MATTHEW PARRIS
POLITICAL SKETCH

Major says Brussels must honour pledge on border controls

By Philip Webster and Richard Ford

JOHN MAJOR issued a warning yesterday that he would ensure the rest of the European Union kept to its word and allowed Britain to retain its immigration and border controls.

The Prime Minister moved to pre-empt today's announcement of new European Commission plans to ban frontier controls by making plain that he would fight to maintain Britain's rights. He said in the Commons that the 1985 declaration on immigration was "solely entered into by all the heads of government of other European countries".

He added: "They pledge their words and I intend that they will keep them."

Meanwhile, it was claimed yesterday that illegal immigration into the United Kingdom had reached almost 40,000 people a year. Peter Tompkins, the former chief inspector of the immigration service at the Home Office, said that government figures failed to disclose the full extent of immigration and that the Home Office had resisted efforts to discover the true scale of the problem.

In an interview with *The Times* he said that immigration officers caught only about one in seven of the illegal immigrants coming to Britain each year. Mr Tompkins, head of the immigration service until 1991, said that while



Downing Street yesterday named Richard Page, above, as the successor to Charles Wardle, who resigned as Trade Minister at the weekend. Mr Page, 53, MP for Hertfordshire South West, was Parliamentary Private Secretary to John Biffen, Leader of the House, between 1982 and 1987.

the smuggling of immigrants was increasing, most illegal entrants arrived at ports and airports with forged documents or claiming to be students or visitors.

"The government figures do not show the extent of entry into Britain and no one in the Home Office wants to do anything about trying to estimate how many illegal immigrants are in the United Kingdom," he said.

The latest statistics produced by the immigration service indicate that at least

68,215 people were allowed to stay, permanently or temporarily, in the United Kingdom in 1992.

A total of 55,600 people were accepted for settlement in 1993, an increase of 3,000 on 1992. More than 14,000 came from the Indian sub-continent, 10,790 from Africa and 8,680 from other Asian countries.

Although only 1,490 requests for asylum were granted out of 23,405 applications considered, a further 11,125 people were given exceptional leave to remain in the country. More than 10,500 people had their asylum application turned down. The number of illegal entrants detected rose from 5,600 to 5,700 between 1992 and 1993. The number of people removed from the country under enforcement powers was 6,076 in 1993.

Morale among immigration officers has plummeted as they try to enforce controls while watching blatant abuse, particularly of requests for asylum.

Martin Slade, deputy general secretary of the Immigration Service Union, condemned what he called "this lie that we have very strict laws. On paper they may appear strict but the reality is different. If European borders open well we will be swamped. Many illegal aliens say they are here on holiday, to study or to visit relatives, then later claim political asylum."

European frontiers, page 10



Sir Patrick Mayhew, left, and Michael Ancram, right, with Dick Spring at their meeting in Belfast yesterday

MPs condemn 'nationalist agenda'

By Philip Webster, Political Editor

ULSTER Unionists complained to John Major yesterday that the framework document being drawn up by London and Dublin was a "nationalist agenda".

They are expected to tell him that unless there are substantial changes in the proposals over the next few days they would see little point in taking part in the next stage of the talks. The threat would represent a big setback to Mr Major's hopes of securing a lasting settlement.

It was clear after the lengthy meeting between Mr Major and three Unionist MPs that he had failed to reassure them about the contents of the

document. Although they said little publicly afterwards it is understood that the MPs, David Trimble, William Ross and the Rev Martin Smyth told Mr Major that the document had nothing in it for the Unionists.

Mr Major has repeatedly made plain that the document is not a blueprint and can be changed during the talks process, and will ultimately be subject to a referendum. One Unionist source said the three MPs had come away from the meeting "profoundly depressed" although it had been a perfectly civil encounter. Asked if Mr Major had been able to reassure the

Unionists over their concerns Mr Trimble said: "Not in the slightest."

In another development yesterday, Senator Edward Kennedy pleaded with President Clinton to lift the restrictions on fund-raising in the United States by Gerry Adams, leader of Sinn Féin. At the same time, a senior British Government official went to the White House to urge that the ban should remain in place until there is tangible evidence that the IRA is giving up its stockpile of weapons and explosives.

White House aides were unable to say which side would prevail in the dispute.

They acknowledged there were still issues of concern about letting Mr Adams raise funds. Mr Clinton is in the awkward position of coming under pressure from a powerful Democratic senator and others in Congress while not wanting to upset the British.

Mr Adams's US visa containing the fund-raising restriction is scheduled to expire on March 3. He is seeking an extension without the prohibition to attend a charity dinner in New York state on March 13, possibly followed by participation in a St Patrick's Day parade. He could even be invited to the St Patrick's day lunch in Congress.

Euro row

Continued from page 1
until 1999 at the earliest. Mr George also calmed the fears of right-wing Tories who suspect that Mr Clarke might be following in the footsteps of Nigel Lawson, who, as Chancellor in the late 1980s, shadowed the mark.

The governor left MPs with the strong impression that domestic inflation, rather than exchange-rate movements, was the main factor behind interest-rate decisions. MPs were reassured that the pound's weakness against the mark did not automatically mean that another rate rise was on the way.

Mr George described himself as Euro-agnostic. He suggested that Britain could prosper outside a single currency, provided its monetary policy and inflation rate were stable.

He said, however, that initially interest rates might have to be slightly higher if Britain remained outside a single currency. Once the markets accepted the credibility of a purely domestic monetary policy, it should be possible to bring them into line with European rates. The MPs were also told that the City of London could survive if sterling did not enter a single currency.

Yesterday, sterling slid to DM2.375, well below its lowest point in 1994 of DM2.370. Foreign exchange dealers are now targeting the pound's all-time low against the German currency of DM2.3147, which happened early in 1993. The FTSE-100 index of leading shares closed down 9.8 points at 3,071.3 as investors focused on sterling's woes and key statistics today for inflation and high street sales.

Business News, page 25
Pennington, page 27

Minister pledges NHS job fairness

By Nigel Williamson, Whitehall Correspondent

THE Government promised more openness in appointments for top jobs in the health service yesterday as the Nolan Committee on Standards in Public Life examined claims that NHS trusts had been packed with Tory supporters.

Virginia Bottomley, the Health Secretary, announced that from April vacancies for chairmen and non-executive directors of trust hospitals and health authorities would be advertised. She made the announcement as the committee was hearing evidence from Alan Langlands, the chief executive of the NHS.

Members of the committee feared that the measures did not go far enough to restore public confidence. They had been told by officials that the Government had vetoed up to one in ten of the recommendations for appointment made by chairmen of Regional Health Authorities.

Mrs Bottomley made it clear that she would continue to remain ultimately responsible for deciding who is appointed

to trusts and health authorities. Almost 4,000 appointments are made by her or on her behalf. About 93 per cent of the posts carry some form of remuneration.

"Appointees must be drawn from as wide a pool as possible and the public must be satisfied that the process of selection has been objective and fair," she said.

□ Doubts about the capacity of the NHS to meet the new patient's charter guarantee on waiting times were raised yesterday as latest figures showed that 3,000 patients were awaiting treatment for more than 18 months at the end of last year. Under the new guarantee announced last month by Mrs Bottomley, no patient should wait longer than 18 months for treatment after April 1. The worst affected region is Northern and Yorkshire, which had 1,446 patients who had been waiting for more than 18 months in December.

Letters, page 17

Sharp drop in calf and sheep exports

EXPORTS of calves and sheep to the Continent have fallen sharply because of the campaign of protest against the trade by animal rights activists (Michael Hornsby writes).

The Meat and Livestock Commission disclosed yesterday that calf exports were down about 30 per cent — to 7,000 a week — from their peak in 1993, and sheep ex-

ports by up to 50 per cent. In a report it called for more research to see if the white veal favoured on the Continent could be reared here without infringing animal welfare regulations.

The report came as William Waldegrave, the Agriculture Minister, met his French counterpart, Jean Pouchet, to try to persuade him that continental methods of calf-rearing were cruel and should be banned.

After two hours of talks in London, Mr Waldegrave admitted that no quick end to the cross-Channel dispute over animal welfare was in sight, though he remained optimistic that European opinion was moving in Britain's favour. He had "very good hopes" that the EU's veterinary committee would recommend a ban on veal crates before the year's end.

A photograph accompanying a report (February 11) on the official RAF residence Haynes Garth, near Cheltenham, was of the late Air Commodore Tommy Thompson, and not, as the caption stated, the late Air Chief Marshal Sir John Thomson. We apologise to the families of both officers.

1,100 Navy jobs lost in depot closures

About 1,100 jobs are to be lost with the closure of several Royal Navy storage depots, Nicholas Soames, the Armed Forces Minister, confirmed yesterday. Three depots, at Eaglescliffe in Cleveland, Wragston in Devon, and Exeter, are to close by April 1997. A new central storage facility is to be created at Portsmouth. Mr Soames said in a Commons written answer that the closures would proceed in spite of a campaign by local MPs. The savings would amount to £170 million over ten years and £24 million a year thereafter.

Generals face axe, page 1

No aid for needle baby

An appeals board has refused to grant legal aid to the baby whose parents claim he was sent home from Treleick Hospital, Truro, with a hypodermic needle inside him. The legal aid board, which met last week, says the application on behalf of seven-week-old Benjamin Jones, is premature and there is insufficient evidence of injury.

Wilde's abbey honour

The theatrical and literary world thronged Westminster Abbey yesterday to celebrate the acceptance of Oscar Wilde into Poets' Corner. At a service of dedication for a stained-glass memorial window, the poet Seamus Heaney paid tribute to Wilde's dialogue, which he said is to our speech "as ozone is to stale air".

Leading article, page 17

Wall crushes schoolgirl

An eight-year-old girl died yesterday after a garden wall collapsed on her when it was hit by a lorry. Gemma Jenkins, left, was walking with other children in Mansfield, Nottinghamshire, when the back of the lorry hit the wall as the driver, Paul Woodman, 38, of Shirebrook, Derbyshire, attempted to avoid parked cars. Police said: "No one has been charged, this was a tragic accident."

160mph biker banned

A motorcyclist caught riding his Honda Fireblade at 160mph was banned from driving for two years yesterday by magistrates in Sutton Coldfield, West Midlands. Anthony Pearce, 31, of Walmley, West Midlands, was ordered to pay £45 costs and to take an extended driving test before he can again hold a full licence.

Love's labours lost in post

For those who failed to receive a Valentine's card yesterday, consolation may be at hand. A backlog of more than 500,000 letters and parcels has built up after an unofficial strike by postal workers. The Royal Mail went to the High Court yesterday to gain an injunction against 400 workers who walked out in an illegal stoppage in Cardiff.

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High Court plea on Guinness fortune

Daughters dispute £15m trust fund of marchioness

By Emma Wilkins

THE family of Maureen, Marchioness of Dufferin and Ava, began legal proceedings yesterday to challenge her right to leave her grandchildren a fortune estimated at £15 million.

Lady Dufferin, 88, who lives in Knightsbridge, west London, wants to settle a family trust fund in favour of her two granddaughters, Evgenia Sands, 30, and Ivana Citkovitz, 28, who live in America.

The move was challenged in the Chancery Division of the High Court in London yesterday by Lady Dufferin's daughters, Lady Caroline Lowell and Lady Perdita Blackwood, and her daughter-in-law, Lady Marchioness of Dufferin and Ava.

Lady Caroline, 63, who was married to Lucian Freud, the artist, Israel Citkovitz, the American composer, and later to Robert Lowell, the American poet, is partly to the proceedings despite the fact that it is her two daughters who could benefit from their grandmother's action.

Lady Perdita, 60, a racehorse breeder, and Lady Dufferin, the widow of Sheridan, the 5th marquess who died of an AIDS-related illness seven years ago, have no children.

The dispute stems partly from the complex arrangements left by Lady Dufferin's grandfather, the 1st Earl of Iveagh, who founded the family Guinness fortune. In 1927 he left an estimated £200 million, divided between his three children, including Ernest Guinness, Lady Dufferin's father.



Lady Dufferin: "I am heartbroken"



Miss Citkovitz: one of two beneficiaries

in's father. In 1948, Lady Dufferin surrendered the greater part of the fortune she would inherit from her father in favour of her three children. She allowed herself an annual income of £18,000 a year, the same sum which her father had allowed her in the

1930s. The court will be asked to rule on the validity of a deed executed by Lady Dufferin in 1991 appointing her remaining interests in the family trust fund in favour of her two granddaughters. The interests, which include the Owl House, an estate in Kent, and property in Knightsbridge are estimated to be worth £15 million.

Trustees of the Iveagh Will Trust, based in Jersey, began the legal action with reluctance after the family insisted that the legal principles should be settled by the court.

Edward Nugee, QC, for the trustees, told Mr Justice Knox: "Lady Caroline, Lady Perdita and Lady Dufferin, have asked for this summons because they want to establish the validity of the 1991 appointment. Lady Dufferin has asked the trustees to establish whether she retains her power of appointment."

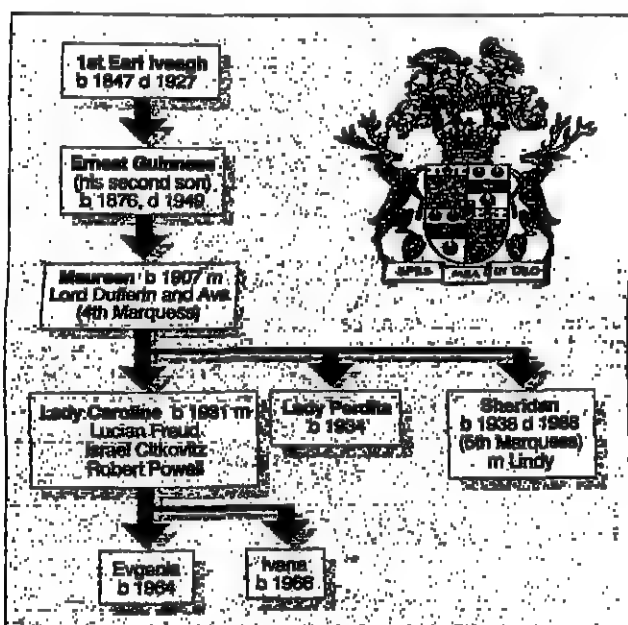
Lady Dufferin inherited the fortune on the death of her father in 1949. Her interests immediately passed to her children, then aged 18, 15 and 11. Five years later she gave her children a half-share in her Canadian trusts (the Guinness family owns much of Vancouver) and used the rest to endow Clarendon, her husband's estate in Co Down, Northern Ireland.

She said recently: "I am puzzled and heartbroken that my grandchildren's own mother and their two aunts are insisting on going to court. All three of them are sweet, charming people."

Lady Dufferin, who was brought up in Ireland, joined the London season in the 1920s with her sisters Aileen and Oonagh. Their fondness for practical jokes, their wealth and their beauty led to their being dubbed "the fabulous Guinness girls".

Before the first of her three marriages, Lady Dufferin became friends with the Oxford aesthetes — the Acorn brothers, John Betjeman and Evelyn Waugh. When Oswald Mosley made a pass at her in Antibes, she gave him a black eye with her jewelled evening bag. Winston Churchill's son Randolph was another admirer.

After the death of her first husband in 1945, Lady Dufferin married Major Harry Buchanan but the marriage was dissolved in 1954. She later married Judge John Maude, QC, who died in 1986. None of the family was at court yesterday. The hearing continues today.



Heatstroke likely cause of environmentalist's death

By a Staff Reporter

ANDREW LEES, the environmentalist, probably died from severe heatstroke as he waded through the Madagascan jungle, an inquest was told yesterday.

Mr Lees, 45, the campaigns director for Friends of the Earth, collapsed and died as he trekked in the Petrify Forest on New Year's Eve. His body was found seven days later by a villager who led police and other members of a search party to the spot.

Mr Lees's fiancée, Dr Christine Orenge, 34, had been waiting at the edge of the forest. His friend Dr Jonathan Kaplan told the inquest in Great Yarmouth, Norfolk that

he had had to break the news to her.

Mr Lees's body was found at the edge of a clearing about a mile into the forest. He was clutching his camera bag. There were no marks to suggest that he had been attacked, robbed or hurt by a wild animal, Dr Kaplan said.

A post-mortem examination by a Home Office pathologist, Dr David Harrison, failed to establish the cause of death: the body was too badly decomposed. It had been thought Mr Lees died of a heart attack, but Dr Harrison said he had found no evidence of heart disease. "There are a number of possibilities but if I had to

choose, heatstroke would seem the most likely," he said.

Mr Lees, of Kentish Town, north London, had been on holiday in Madagascar for two weeks, making a film on the effect on the forest of a mining project. He had been due to return home and made a last foray into the forest.

Mr Lees told his driver he would return after an hour. When he failed to appear the driver began sounding his horn and shouting.

The deputy coroner, Nicholas Holroyd, said: "Conditions were extremely hot and Mr Lees had had an exhausting two weeks." An open verdict was recorded.



Arthur Hiller, president of the Oscars academy, and the actress Angela Bassett announcing the nominations for Best Male Actor

British nominees surprise Oscar pundits

FROM GILES WHITTELL IN LOS ANGELES

WITH eight leading nominations, half of them for the period drama *The Madness of King George*, the British caused most of the surprises when candidates for this year's Oscars were announced yesterday. The box office hit *Forrest Gump* dominated, however, with 13 nominations, one more than *Schindler's List* received last year.

A \$40,000 flying visit by Nigel Hawthorne to promote *The Madness of King George* in New York last

month appeared to have paid off. Hawthorne won a nomination as Best Actor for his role as the King, while Helen Mirren, his queen, was nominated for Best Supporting Actress and Alan Bennett for his screenplay.

Hugh Grant, star of *Four Weddings and a Funeral*, was a notable omission from the Best Actor nominees, but the film made a rare entry for a comedy on the Best Film shortlist along with *Forrest Gump*, *Pulp Fiction*, *Quiz Show*, and *The Shawshank Redemption*. Richard Curtis, writer of *Four Weddings*, was

nominated for Best Original Screenplay. Tim Bevin, one of its producers, said: "It's a great day for British film when a movie that's not a frock flick or a gritty streets of London piece can make it throughout the world and get recognised like this."

Miranda Richardson and Rosemary Harris won nominations for Best Actress and Best Supporting Actress respectively for their roles in *Tom and Viv*, the film about T.S. Eliot, while Paul Scofield returned to the Oscar contest with a Best Supporting Actor nomination for his role as a professor in *Quiz Show*. He

won the Best Actor Oscar for *A Man For All Seasons* 28 years ago.

Despite media predictions of a *Forrest Gump* backlash, there were acting nominations for Tom Hanks as Gump and Gary Sinise as his war veteran sidekick. Robert Zemeckis won a directing nomination for the film, which the bookmaker William Hill made 4-7 favourite to win the Best Film award.

Hanks, who won last year's Oscar for his role in *Philadelphia*, also faces competition from Paul Newman in *Nobody's Fool* and John Travolta in *Pulp Fiction*.

Inheritance battle hastens Lucan's official demise

By Andrew Pierce

RELATIVES of Lord Lucan have succeeded in court in transferring part of the missing earl's estate to his family for the first time since he vanished in November 1974.

The announcement that almost £150,000 had been switched from the estate brings the official demise of Lord Lucan closer. The cash comes from trusts that guaranteed an income to the missing peer for the rest of his life. Many of the trusts had been set up by his father.

Legal moves are continuing by the family to have Lord Lucan declared officially dead. He disappeared after the murder of the family nanny Sandra Rivett, and the attempted murder of Lady Lucan, at the Lucan home in Belgrave.

Scotland Yard, which still receives many tips of alleged sightings of the peer each year, said last night that there were no plans to close the Lucan file. "There is no evidence to show that he is dead," a spokesman said.

Courts and Co, the trustees for the estate, have obtained permission from the Family Division of the High Court to wind-up Lord Lucan's financial affairs in England. When he disappeared he had huge gambling debts and had recently sold the family silver at Christie's to try to stay afloat.

The announcement said: "The Right Hon Richard John Bingham, the 7th Earl of Lucan, who died on or since 8th of November 1974, left settled estate valued at £146,976. The settled land grant has been issued to Courts & Co."

A spokesman for Smees and Ford, the probate researchers, said: "The settled land grant refers to property or income which Lord Lucan had use of for the rest of his life. It is very common in titled families."

Lord Lucan's son, Lord Bingham, 27, a merchant banker with Kleinwort Benson, refused yesterday to discuss the latest moves in the Lucan saga.

Courts can now administer the Lucan estate in England as if the 7th Earl were already dead. "We have applied to the High Court to have Lord Lucan officially sworn to be dead," a spokeswoman said.

But the court ruling will have no bearing on the Lucan estate in Castletown, Co Mayo. The estate stretched to 62,000 acres in the middle of the last century and the family still has its own pew in the town's Presbyterian church. The last member of the clan to be seen in Castletown was the missing earl some 30 years ago.

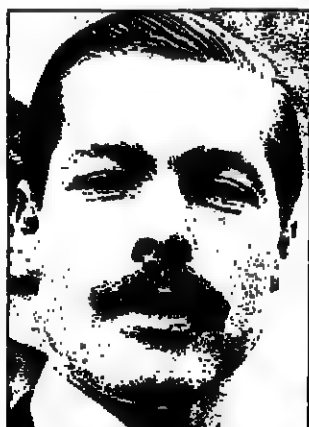
Several hundred people own properties on Lucan land and have withheld their ground rent since his disappearance. Estimates suggest the estate is owed £500,000 in unpaid rent. Dick Morris, a county councillor, said: "The Lucan son should get to grips with this. It causes resentment to the Irish people that they

cannot own the land on which their property is built. Ground rent is a remnant of the British Empire."

"We will not pay to absentee landlords, and they don't come much more absent than Lord Lucan. If he comes back to Castletown I will be the first in the queue to pay him."

The High Court process aims to secure an inheritance for the three Lucan children. It would not prevent the peer standing trial were he to be found. Since 1974 there have been countless sightings around the world.

Lord Lucan, who would now be almost 60 years old, was last reported to be in Botswana, a far cry from the gambling tables of the Clarion and other casinos where he lost £250,000. Taki Theodoropoulos, the shipping heir and newspaper columnist, who was a close friend, said: "Everyone knows he had no money at the end. I don't think there is much more money in the estate. I lent him money before he drowned himself at sea, which is why there is no body."



Lord Lucan, left, missing for 21 years and Lord Bingham, who wants him to be declared dead

Police launch search for 'staring' intruder

POLICE are launching a nationwide hunt for a prowler who breaks into bedrooms and stares at women while they sleep (Lin Jenkins writes). In some cases the victims have been asleep with their partner, and the intruder calmly leaves the room if anyone wakes up.

Police believe that the same man might have been responsible for similar crimes in different parts of the country.

One victim may have had glue put in her mouth and nose by the intruder and has undergone psychiatric counselling.

Detective Sergeant Steve Reschwamm, of Newbury CID, leading the investigation, believes five incidents in the town might be linked with others a few years ago around Godalming, Surrey, and more recent incidents around Biggleswade in Bedfordshire.



Secrets of the supermarket

WHY WE TURN RIGHT TO SHOP

IN WEEKEND

ARMANI EXTENDS HIS LONDON EMPIRE

IN THE MAGAZINE

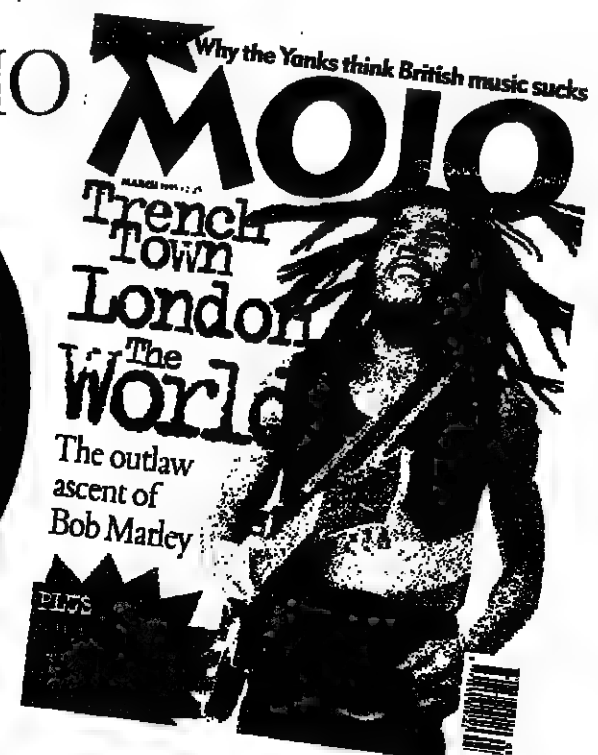
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Revised reports to cut jargon

School inspectors to concentrate on improving three Rs

By BEN PRESTON, EDUCATION CORRESPONDENT

SCHOOL inspectors will focus more closely on standards in the "three Rs" under proposals published yesterday that aim to cut paperwork and make reports parent-friendly.

The Office for Standards in Education urged a comprehensive overhaul of the new freelance inspection system only five months after it started monitoring all state schools.

The shake-up follows concern that teachers are wasting time and money preparing for inspections by writing numerous documents and policies or making superficial changes rather than concentrating on raising classroom performance. A shortage of primary inspectors also threatens the Government's commitment to

check each school every four years.

One primary spent more than £1,000 on indoor plants the week before inspectors were scheduled only for the visit to be cancelled. A secondary bought a vacuum cleaner to tidy the playground in an attempt to impress inspectors.

Chris Woodhead, Her Majesty's Chief Inspector of Schools, told a conference in London that the proposals would make inspection reports incisive, jargon-free and relevant. He said: "We must get away from the blandness of the encyclopaedic description of every possible aspect of school life and achieve a sharp evaluation of what is actually happening in classrooms."

Mr Woodhead, who caused

a furore a fortnight ago by attacking progressive teaching methods, said inspectors would not prescribe how teachers taught. But he acknowledged criticism that some inspectors had promoted such methods for ideological reasons and disclosed that three head teachers had complained recently about a bias against traditional methods.

Mr Woodhead said there appeared to be an inverse relationship between the quantity of paperwork in a school and the quality of classroom performance. He said: "Primary schools burning the midnight oil trying to prepare a policy on everything that moves in advance of an inspection visit are wasting their time."

The proposed reforms follow a period of turmoil for the new inspection regime. While the system coped with the start of secondary school inspections in autumn 1993, the additional task of inspecting 19,000 English primary schools from September has proved too much. One quarter of primary inspections planned for last term were cancelled because of a shortage of inspectors.

In a step far removed from the spirit of a reform designed to dilute the influence of the "education establishment", Mr Woodhead signalled that teachers might be encouraged to become inspectors to combat shortages.

Peter Oldfield, vice-chairman of the National Association of Lay Inspectors, which represents the one non-professional required by law in every inspection team, welcomed the proposals. But he expressed concern that a minority of the 1,200 trained lay inspectors were dominating the market, while at least 600 people had not inspected a single school.

David Blunkett, Shadow Education Secretary, said ministers were prepared to throw money away to hide their mistakes while schools struggled to pay teachers.



Schoolfriends of Ciaran Malone attend his funeral at Carragh yesterday

Man charged with killing boy

By NICHOLAS WATT, IRELAND CORRESPONDENT

A MAN appeared in court yesterday charged with the murder of a five-year-old boy as more than a thousand people turned out for the youngster's funeral.

Jerome Kavanagh, 21, was remanded in custody until tomorrow by Bray District Court, Co Wicklow. The

court was told that when Mr Kavanagh was charged with the murder of Ciaran Malone he replied: "No". Mr Kavanagh, who lives close to the Malone family in Carragh, Co Kildare, was driven off at speed in a police car after the hearing.

Hours earlier, more than 1,000 people lined the quiet country lanes near Ciaran's house in Carragh for his

funeral. His parents, David and Mary Malone, held each other as they walked behind Ciaran's coffin.

Earlier in the day Mr Kavanagh gave himself up after an extensive search by police and troops. He was arrested at a telephone kiosk near his home after making a 999 call.

Ciaran was stabbed to death by a man wearing a balaclava on Saturday night.

Court names fine defaulters in press

By FRANCES GIBB, LEGAL CORRESPONDENT

MAGISTRATES seeking to recover £1.5 million owed in fines and compensation to victims of crime are publishing the names and addresses of more than a hundred fine defaulters.

The initiative by Hounslow magistrates in west London is part of what they describe as a "rigorous programme of enforcement." The court says that nearly

£200,000 is due by way of compensation to victims of crime, "some of whom are in great need". More than 73,000 lists of defaulters will be distributed to households in the area this Friday as an insert in the local free newspaper.

Alan Baldwin, clerk to the court, said: "Where defaulters are failing to pay compensation orders, magistrates and staff are particularly concerned to take steps to ensure victims of crime receive prompt payment." The court "intends to

take a firm approach to ensure that compensation is paid."

The court has appealed to the public to help in the tracing of defaulters who have "disregarded the order of the court". Anyone who knows the whereabouts of a fine defaulter is being urged to telephone the court in confidence.

The court is also to open on three Saturdays "so that persons who are in genuine difficulty" can speak with staff or a magistrate to "review their position".

Water chief refuses to disclose donations

By PHILIP BASSETT

THE chairman of North West Water, Sir Desmond Pitcher, clashed with Parliament yesterday when he refused to provide MPs with information on its charitable donations.

The Commons Select Committee on Employment is likely to use its powers to require him to provide the information. He told the committee that he did not think details of the company's charitable donations, which last year totalled £60,000, were relevant to its inquiry into executives' pay.

Greville Janner, the committee's chairman, said he could see no reason why Sir Desmond had refused the information, and asked him to reconsider.

Sir Desmond told reporters outside the committee that the donations were all for environmental work in the North West.

Sir Desmond told the MPs that he regarded his own salary as "equitable". He said that his taking up the post had entailed a 60 per cent drop in salary and that he was not concerned with "higher and higher income" but with the type of work he did.

He angered MPs when he disputed that there was genuine public concern about the pay levels of directors of privatised companies and suggested that the concern had been built up by those with an interest in doing so.

He denied that industry itself was worried about the issue, and that the establishment of a Confederation of British Industry committee to look at pay, under Sir Richard Greenbury, chairman of Marks and Spencer, reflected concern.

Mother at Rikki's funeral

Six-year-old Rikki Neave, who was found strangled in a copse near his home in Peterborough, Cambridgeshire, in November, was cremated at King's Lynn yesterday. Among the 40 mourners was his mother Ruth, 26, who is due in court this month charged with cruelty to Rikki. Dressed in black and wearing dark glasses, she sat apart from the rest of the congregation and sobbed throughout the service.

Hume honoured

Jacques Delors, former President of the European Commission, and John Hume, leader of the Social Democratic and Labour Party, are to receive honorary degrees from Queen's University, Belfast.

MP in drive ban

Iain Duncan-Smith, Tory MP for Chingford, Essex, was banned from driving for a week and fined £210 for speeding while on his way to the annual party conference at Bournemouth.

Computer case

Christopher Pile, 26, of Plymouth, was remanded on bail by Plymouth magistrates charged under the Computer Misuses Act with introducing viruses into computers to facilitate crime.

Hotel raided

Three robbers, one armed with a handgun, escaped with £300 early yesterday morning after threatening staff at the Savoy Court Hotel, central London. No shots were fired.

Dummy run

Seamus Murtagh, 36, escaped from the jail at Lancaster Castle after placing a dummy in his bed and using knotted sheets to get down the battlements. Police said he should not be approached.

Road trees felled

Workers escorted by police and security guards surprised protesters yesterday by felling trees for the new M77 in Glasgow at the opposite end of the route from most demonstrators.

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'Woman of good character' drank bottle of wine before breaching Scotland Yard security

Howard's drunken aide took Special Branch car

By BILL FROST

A PERSONAL assistant to the Home Secretary took an unmarked Special Branch car from Scotland Yard while over the drink-drive limit and scuffed with a police officer after trying to direct traffic on one of London's busiest roads.

Janine Barnes caused £1,600 of damage to vehicles used by two of the Metropolitan force's most senior operational officers: Commander George Churchill-Coleman, head of the fraud squad, and Commander David Tucker of the anti-terrorist branch.

The escape by Barnes, 26, who was responsible for Michael Howard's daily diary, followed a lunchtime drinking session in a wine bar last November.

At Camberwell Magistrates' Court yesterday, Barnes admitted aggravated vehicle taking, having excess alcohol in her blood and driving without insurance.

Tim Clayton, for the prosecution, said that Barnes, of Welling, Kent, was "a woman of good character". She went out for a lunchtime drink on



Howard Barnes looked after his diary

November 25, and later told police she had consumed a bottle of wine.

She then went for a walk and "found herself outside New Scotland Yard where she followed a pedal cyclist through a security barrier". Mr Clayton said that, unchallenged, Barnes went down to the high-security underground car park. She sat behind the wheel of a Ford Mondeo, which had its keys in

the ignition in accordance with Yard procedure.

Barnes later told police that she only intended sitting inside the vehicle. Two witnesses saw her "reverse out and strike a Vauxhall Cavalier parked in bay 43, and this vehicle collided into a second Cavalier parked in bay 48". Mr Clayton told the court.

They described Barnes as "looking tense, gripping the steering wheel tightly and with red, puffy eyes, as if she had been crying". Before leaving she hit the two vehicles.

She eventually abandoned the car a few miles away in Clapham High Street, where it was later found with a flat tyre. Barnes then hitched a lift to Brixton police station where she reported the loss of her handbag.

She was seen shouting at a police vehicle as it entered the station car park. Moments later Barnes was restrained after she ran into the middle of the A23 at the front of the station and tried to stop the traffic.

"Miss Barnes was then taken back inside Brixton police station where she told officers

what had happened," Mr Clayton said. "They were sceptical. She started shouting and there was a scuffle. She was unable to take a breath test and was held overnight." The next day she was found to have 122mg of alcohol to 100ml of blood. The legal limit is 80mg of alcohol.

Richard Lewis, for the defence, said: "The circumstances of the offences are unusual and what is even more unusual is that a lady of good character committed these offences."

Barnes was bailed unconditionally until March 14 for reports. She left the court refusing to comment.

A spokesman for the Home Office last night refused to say whether Barnes, who was suspended after the incident, would return to Mr Howard's private office. "In the light of what has happened, we will now be considering her future in the department," he said.

A police inquiry is continuing into the case with which Barnes was able to take a Special Branch vehicle from Scotland Yard's high-security car park.



Janine Barnes is ushered away from court after admitting the offences

Smuggled lover's happy landing

By JOHN SHAW

A BUSINESSMAN who smuggled his Russian girlfriend into the country through a rural airfield landed himself and his pilot in court. But the adventure had a happy ending and Richard Harper is now married to the woman.

Magistrates at Thetford, Norfolk, were told that Harper, of Swanton Morley, Norfolk, recruited his friend, David Clarke, 36, a pilot, to fly Ellana, a translator, from Poland to Swanton Morley airfield.

Clarke, who admitted his part in the episode last July, was fined £1,000 for assisting an illegal entry into Britain and £1,000 for carrying passengers without a licence.

Immigration officers discovered the 30-year-old woman and her son Oleg did not have visas and allowed them to stay only a fortnight. Mr Harper then set about getting the correct paperwork and last September the couple married.

Harper was fined £500 by magistrates last November for his part in bringing his girlfriend into the country illegally.

Rosemary West sent for trial on 14 counts

By RICHARD DUCÉ

ROSEMARY WEST is to stand trial accused of ten murders and four sex offences, a senior magistrate decided yesterday. Peter Badge, sitting at Dursley Magistrates' Court in Gloucestershire, ruled that there was a case for Mrs West to answer on the charges of murder and also found that the prosecution had produced evidence for four new charges — two of rape and two of indecent assault.

The charges relate to two women whom Mrs West is alleged to have attacked with her husband Frederick, who committed suicide in Winson Green Prison, Birmingham, on New Year's Day.

At the end of the seven-day committal hearing, Leo Goadley, Mrs West's solicitor, said he would be seeking a High Court judicial review to overturn Mr Badge's committal decision. Mr Goadley said the case would be brought on the ground of abuse of process, claiming that the length of time since the offences were alleged to have been committed and the case being brought to court had been too long. He also said that intensive media coverage prevented Mrs West from receiving a fair trial.

Describing the evidence against Mrs West as "flimsy", Mr Goadley said: "These matters will be pursued at the outset of any trial. The kind of circumstantial evidence being relied upon is of no value at all. Mrs West maintains her innocence. We will be putting forward a strong defence." He said Mrs West's mood was "pretty reasonable" after the committal.

Workmen plagued by giant river bugs

By NIGEL HAWKES

WORKERS on an industrial estate in southeast London watched aghast as thousands of giant bugs emerged from the Thames, scaled the river wall and crawled towards them.

The pain-long creatures covered the ground in such numbers that people fleeing from their advance had no option but to tread on them. Environmental health officers from Greenwich called to the estate in Woolwich were at first unable to identify the species.

They were believed to be huge cockroaches but were later identified by Dr Jim Brock, an entomologist from the Horniman Museum in South London, as *Ligea oceanica*, a crustacean and a larger cousin of the common wood louse.

Dr Brock said: "They thrive in salt water conditions and live along the British coast. They are very elusive and people hardly ever come into contact with them. When they do they are often frightened out of their skins because they are so big. They really do look like something out of a horror movie."

Environmental health officers believe the creatures were swept up river by high tides and went ashore at two points between Woolwich Ferry and the Thames Barrier. "There were literally thousands of them," a spokesman said. "It was quite frightening for people working on the estate who came into contact with them." The crustaceans have now either died or disappeared.



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Highland blizzards thwart rescuers and claim two climbers

By Gillian Bowditch
SCOTLAND CORRESPONDENT

TREACHEROUS weather on Ben Nevis and Glencoe has claimed two more climbers in spite of the efforts of mountain rescuers who battled in darkness, blizzards and sub-zero temperatures to find them.

Martin Rayner, 22, a physics student from Hereford and Worcester, was found shortly before 10pm on Monday on Orion's Face on Ben Nevis. He had serious head injuries.

An RAF helicopter was unable to fly him off the mountain because of the weather and he was brought down by foot. By the time he reached hospital in Fort William, Mr Rayner had died.

The body of Allan Sands, 25, from Glasgow, was found yesterday on Glencoe. Rescuers had covered hundreds of square miles over four days in their search for him. Mr Sands, who was 6ft 6in tall, had been climbing alone and had not left details of his route. Police had received a call at



1.30am yesterday from another climber who remembered meeting Mr Sands.

The Lochaber Mountain Rescue Team continued to search for Mr Rayner after colleagues from RAF Leuchars and RAF Kinloss were ordered off the mountain as darkness fell on Monday.

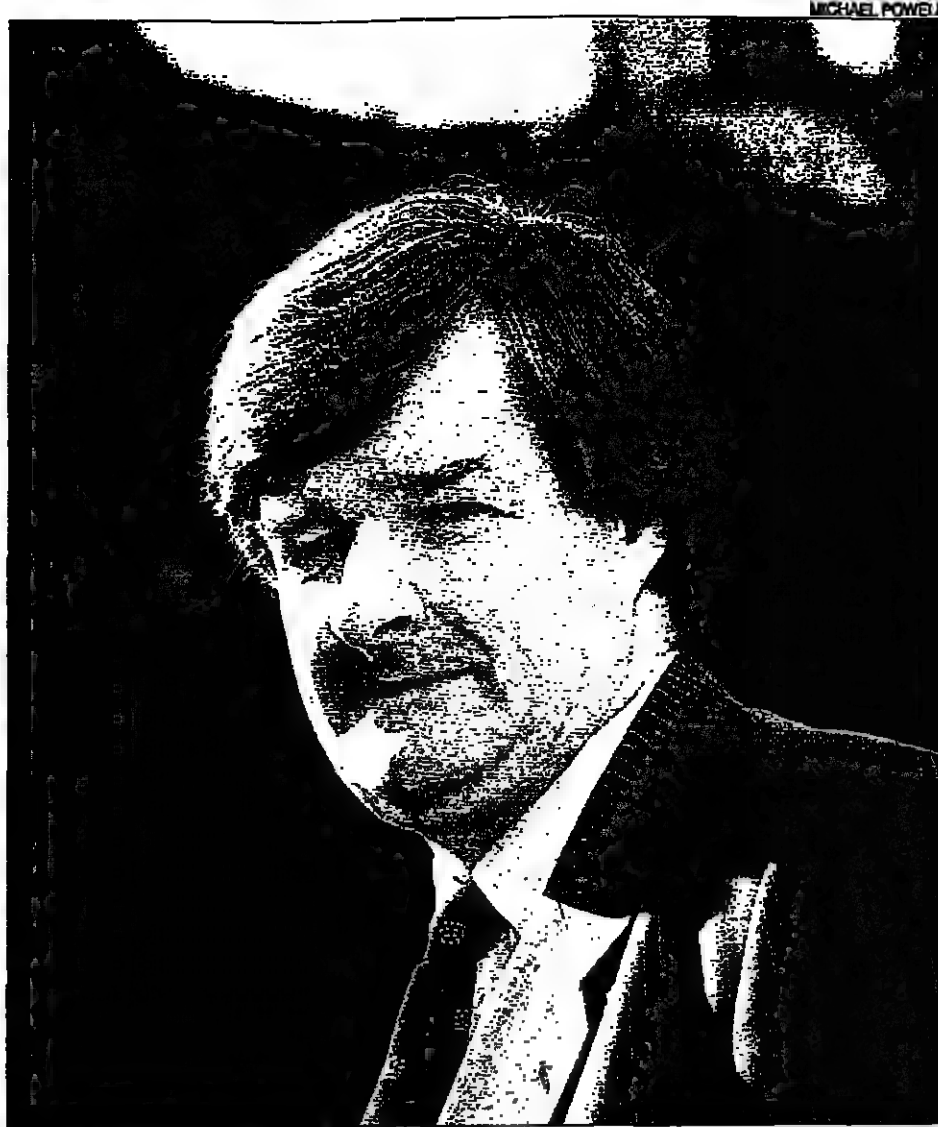
Rescuers who had been on the hill from first light were exhausted by the end of the mission. Earlier on Monday, Mr Rayner's climbing companion, Sacha Backes, from Luxembourg, was airlifted off Ben Nevis. He had frostbite and severe hypothermia. Mr

Backes, whose cries for help were heard by other mountaineers, and Mr Rayner had fallen while attempting a 1,500 ft climb on Orion's Face. When the rescuers found Mr Rayner, he was still attached to his rope.

Mr Backes and Mr Rayner, of Evesham, were both first-year physics post-graduates at Southampton University. Their tutor, Professor Ken Barnes, said yesterday: "They had both finished the same first semester exams and planned this expedition as a way of letting off steam. I had tea with them before they left on Friday and warned them it would be damned silly to go."

"But there was no stopping them. They could not have been better prepared and Martin was noted as being an extremely careful climber."

Terry Confield, leader of the Lochaber team, who spent nearly 20 hours on Ben Nevis on Monday, yesterday defended winter climbers. They loved the mountains and had a right to be on them, he said.



Dr Richard Nicholson: "I still think that it was the most humane thing to do"

Doctor helped two handicapped babies to die

By JEREMY LAURANCE, HEALTH SERVICES CORRESPONDENT

A DOCTOR admitted yesterday that he hastened the deaths of two severely handicapped babies after their parents had agreed that they should be allowed to die.

Dr Richard Nicholson, a writer on medical ethics, said he increased the amount of painkilling drugs over a two-day period and the babies, who were suffering from spina bifida and hydrocephalus (water on the brain), eventually died. Although the incident happened 20 years ago, Dr Nicholson said infant euthanasia was still performed in secret in Britain because it was illegal. He said he knew paediatricians who felt moved to carry it out.

Dr Nicholson founded the *Bulletin of Medical Ethics*, which he owns and edits, ten years ago and is no longer in medical practice. He has a reputation for his outspoken views on ethical issues. He makes his admission on TV's current affairs programme 3D, to be broadcast tomorrow at 7.30pm. However, he said he would not

behave in the same way again. At a press conference yesterday called by Yorkshire Television, makers of the programme, Dr Nicholson said both the babies involved were inoperable and in pain.

The consultants had agreed with the parents that they should not be treated but kept comfortable with painkilling drugs and allowed to die. However, both babies lingered for weeks and their parents became very distressed. After discussing the problem with the ward sister, Dr Nicholson increased the doses of their drugs. "I have no way of knowing whether the drugs killed those babies or whether they died of the diseases we were expecting them to die of. I still think that was the most humane thing to do, though I thought then that what I was doing was against the law."

The British Medical Association said it knew that infant euthanasia took place but warned that doctors who carried it out were liable to criminal charges.

Lloyds Bank Interest Rates for Personal Customers

MORTGAGES

	Per Annum	APR†
Lloyds Bank Mortgage Rate	8.35%	8.7%
Home Loan Rate		
Lloyds Bank Black Horse Mortgage Rate		

†APR is typical of loans for 25 years.

CURRENT ACCOUNTS

GOLD SERVICE*	GROSS %	NET %
£10,000+	3.00	2.25
£ 5,000+	2.00	1.50
£ 2,500+	1.50	1.13
£ 1,000+	1.20	0.90
Below £1,000	1.00	0.75

CLASSIC ACCOUNT, CHOICE CHEQUE ACCOUNT AND GRADUATE SERVICE	GROSS %	NET %
£5,000+	0.50	0.38
£1,000+	0.30	0.23
Below £1,000	0.20	0.15

STUDENT ACCOUNT	1.00	0.75
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*The rates of interest applicable to Gold Service Accounts are also applicable to Asset Management Service Current Accounts.

CREDIT CARDS

	Monthly Rate	APR
LLOYDS BANK ACCESS	1.50%	21.0%***
LLOYDS BANK GOLD CARD	1.00%	14.5%***

***Typical APR based on a limit of £1,000 including annual fee.

****Typical APR based on a limit of £2,500 including annual fee.

SAVINGS ACCOUNTS

INVESTMENT ACCOUNT	ANNUAL OPTION		MONTHLY OPTION	
	GROSS %	NET %	GROSS %	NET %
£100,000+	6.10	4.56	5.94	4.46
£ 50,000+	5.80	4.35	5.65	4.24
£ 25,000+	5.50	4.13	5.37	4.03
£ 10,000+	5.25	3.94	5.13	3.85
Below £10,000	0.50	0.38	0.50	0.38

30 DAY SAVINGS	ANNUAL OPTION		MONTHLY OPTION	
	GROSS %	NET %	GROSS %	NET %
£25,000+	4.25	3.19	4.17	3.13
£10,000+	4.15	3.11	4.07	3.05
£ 5,000+	4.05	3.04	3.98	2.99
Below £5,000	0.50	0.38	0.50	0.38

INSTANT SAVINGS ACCOUNT	ANNUAL OPTION		MONTHLY OPTION	
	GROSS %	NET %	GROSS %	NET %
£25,000+	4.10	3.08	4.02	3.02
£10,000+	3.90	2.93	3.83	2.87
£ 5,000+	3.70	2.78	3.64	2.73
£ 500+	3.50	2.63	3.45	2.59
Below £500	1.00	0.75	1.00	0.75

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DEPOSIT ACCOUNT	HALF-YEARLY OPTION		MONTHLY OPTION	
	GROSS %	NET %	GROSS %	NET %
£1+	0.25	0.19	0.25	0.19

Interest rates may vary from time to time. This notice lists current rates.
GROSS - The annual interest rate before deduction of basic rate income tax (where applicable).
NET - The annual interest rate after deduction of basic rate income tax: certain customers may be able to reclaim the tax from the Inland Revenue.
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These rates of interest will apply with effect from 15 February 1995



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Ministers offer deal to save GP night visits

By NICHOLAS WOOD, CHIEF POLITICAL CORRESPONDENT

HEALTH ministers have made concessions to the British Medical Association over payments to GPs in the hope of averting a boycott of night visits.

GPs' leaders were to meet tomorrow to ballot the profession on an end to all home visits between 10pm and 8am in protest over a decision to revamp the system of payments to family doctors. GPs were furious at the plan to reduce the night visit fee from £47.85 to £9 plus a lump sum of £2,000 a year per doctor.

However, proposals tabled this week by Gerry Malone, the Health Minister, appear to have headed off the immediate threat of a clash. Mr Malone has indicated that the Department of Health is prepared to release an extra £200 per GP into the pool of money used to pay night visit fees and to renegotiate the original package. He has also offered doctors an extra £15 million to help to cover the overheads of practices which club together to do night visits.

Ministers are also prepared to run a national newspaper

campaign aimed at persuading the public not to make unreasonable demands on their local surgeries and not to call out their doctors on trivial matters.

Tomorrow's meeting of the General Medical Services Committee of the BMA is expected to approve talks between the two sides on the details of the new package. The committee disputes claims that the £200 a head amounts to new money because it was previously being paid to dispensing doctors. However, its leaders have said that they are prepared to put the threat of sanctions on hold, pending fresh talks.

Mr Malone said: "We are prepared to be flexible" on what was put forward in relation to the £9 night visit fee and the £2,000 a year. We want to go back to the table and discuss all this again, but I will not go back into the fee structure to destroy the impetus we have towards co-operative arrangements."

Mr Malone said he wanted to be helpful and that he still hoped the Health Department and the GPs' committee could submit joint evidence to the doctors' and dentists' review body to enable it to produce a supplementary report shortly.

Dr Ian Bogle, chairman of the GPs' committee, said he welcomed the offer to restart negotiations but that he did not accept that keeping a new award within the review body's overall recommended rise of 3 per cent for all GPs was adequate.

"This does not solve the problem, but it obviously shows some movement towards us," he said.



Malone tabled fresh proposals

Celebrities honour Red Cross

By MARIANNE CURPHEY

MORE than 40 celebrities, including Lord Archer of Weston-super-Mare, Nigel Havers, Rula Lenska and Baroness Williams of Crosby, have helped to write a book marking the 125th birthday of the British Red Cross.

I Owe My Life charts its history from its first work in France in 1870 to involvement in Rwanda. The writers describe the charity's activities from sending food parcels to prisoners of war to assisting at such tragedies as the Lockerbie air disaster.

Lord Archer said at the book's launch in London yesterday that, contrary to popular perception, the Red Cross depended on voluntary donations.

The writer Claire Rayner said: "My first memories of the Red Cross are as an evacuee in Devonshire when I was just eight years old, and I had a label round my neck and a gas mask, and felt miserable as hell. Then out of the blue a Red Cross helper in an apron appeared and gave me a bar of chocolate."

Other contributors include Lady Soames, Viscountess Tansy and Simon Weston.

Heads of utilities 'on £5,000 a week'

By PHILIP BASSETT

LABOUR claimed yesterday that the bosses of privatised utility companies such as water and electricity firms were now earning an average of £5,000 a week.

The figure came as the Commons' all-party Employment Select Committee called in more of the leaders of former nationalised industries to give evidence, including the chairman of British Gas.

Labour leaders released a survey of the top-paid directors in privatised utilities, usually the chairman or chief executive, and showed that the average weekly wage in 1994, including pension provision, for leaders of water, telecommunications, electricity and power companies was £4,937 - or an "astounding" £130 an hour. The top earner was Sir Iain Vallance, chairman of BT, listed by Labour at £14,558 a week for a 70-hour week.

Labour contrasted these figures with the 10 worst-paid jobs, which it said were topped for women by waitresses on £137 a week and hairdressers on £141, and for men by kitchen porters on £161 and catering assistants on £164.

Harriet Harman, the Shadow Employment Secretary, said the figures "show just how obscene the divide between the top few and the rest of society has become under the Tories."

While top executives enjoy telephone-number salaries, thousands of families in Britain are struggling just to make ends meet.

The Department of Employment says that company executives' salary levels are matters for the companies and their shareholders.

Charity donations, page 4

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Doc into for

BY

CHILDREN who are falling ill with a syndrome that slows growth, doctors at Southampton University have "squashed" drinking in a group of children derived a third of their diet from daily calorie-fizzy drinks, squash juice.

The children, aged to seven, had poor bone structure and frequent bouts of diarrhoea. The researchers found they were often sub-plethoric, with unpleasantly invasive, including biopsies in the rectum to take a sample of the lining, to deter-

Butter health

By NIGEL

THE Advertising Standards Authority has criticised the Butter Council for misleading health claims. Complaints about its advertisement in new paper October have been used to force the authority. The advertisement would have confused the public by saying the butter was healthy eating the butter. The Butter Council has been asked to modify its advertisement.

At the same time, the authority rejected a complaint from the against van der Baren makers of Flora margarine. The Butter Council's advertisement was based on the fact that trans fatty acids in margarine are not as harmful as those in butter.

The Butter Council has made a number of products were low in fat. The Butter Council has made a number of products were low in fat.

Land minis

By JOHN YOUNG

A GOVERNMENT plan for rural affairs overseas the future of British countryside and million people who live in the countryside. The Country Landowners Association.

Besides absorbing the responsibilities of the Ministry of Agriculture, Fisheries and Food, the department will take control of land use, wildlife, rural planning, defence, water supply, nature conservation, environmental protection, pollution control and extraction of minerals.

A policy document has been submitted to John Gummer, the Environment Secretary, and William Waldegrave, the Agriculture Secretary, in advance of the Government's White Paper on the countryside due to be published in the autumn.

Hugh Dubery, the association's president, said: "Although agriculture is a predominant land use, it is a need for a move towards a broader-based rural policy. Farmers were responsible only for food production and the stewardship of the nation's land, and would maintain the focus of all countryside policy. But jobs on farms were also needed."

Voluntary work is also needed. The Environment Secretary, John Gummer, and the Agriculture Secretary, William Waldegrave, are expected to announce a new policy for the countryside in the autumn.

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Squash-drinking syndrome

Doctors blame high intake of fruit juice for child sickness

By JEREMY LAURANCE, HEALTH SERVICES CORRESPONDENT

CHILDREN who consume high quantities of fruit drinks are falling ill with a new syndrome, doctors say today. Researchers at Southampton University have identified "squash drinking syndrome" in a group of children who derived a third of their recommended daily calories from fizzy drinks, squash and fruit juice.

The children, aged from two to seven, had poor appetites, were irritable and suffered frequent bouts of diarrhoea. The researchers found that they were often subjected to unpleasant invasive tests, including biopsies in which a tube is inserted down the throat to take a sample of the gut lining, to determine the

cause of the problem. Parents reported frequent disputes at meal-times when their children refused to eat. Worry about their failure to gain weight led parents to seek medical help.

Writing in *Archives of Disease in Childhood*, Jonathan Hourihane, a clinical research fellow, and Chris Rolles, a consultant paediatrician, say the most common drink consumed by the children was blackcurrant squash. An average beaker contains six to nine teaspoons of sugar and drinking it in excessive amounts would disrupt the normal development of hunger between meals, they say.

Dr Hourihane said the drinks contained "empty calories" with no nutritional bene-

fit. "Some children are getting so many calories from the drinks that they don't eat properly and don't get enough fat and protein to grow. Meals can be an area of conflict, but breakfast is the exception because the children have gone all night without drink."

Dr Hourihane said eight children with the syndrome had been seen in the paediatric clinic at Southampton General Hospital at the time the research was done in 1993-94 and a further 20 had been identified since. "These are just the ones that come to medical attention but there must be many more," he said.

Some children were subjected to invasive tests to check whether they were suffering from malabsorption through the gut caused by coeliac disease or cystic fibrosis. However, all had improved significantly when their fruit drinks were reduced and replaced with milk and water.

A survey of 100 children in Southampton carried out by the authors found 70 per cent of the pre-school and half of the infant school children never drank plain water, mainly drinking squash and fruit juice instead. One in seven of the pre-school group obtained half their recommended daily energy intake from the drinks. At least half a child's daily energy intake should come from carbohydrate, mostly in the form of starch such as bread and potatoes.

The survey revealed that almost nine out of ten of the mothers questioned were happy with their child's drinking habits. The authors say that parents may be conditioning their children to the taste of sweet drinks from an early age, affecting their later health. "We feel our work reflects a cultural change in drinking habits driven by commercial pressures on families to consume specific products rather than drinks of nutritional benefit," they say.

Soft drink sales in Britain rose almost 50 per cent between 1981 and 1991 to 6.515 million litres, most of it drunk by children. Robert Hayward, director-general of the British Soft Drinks Association, said: "Any food or drink should be consumed in moderation."

Butter ad spread health confusion

By NIGEL HAWKES, SCIENCE EDITOR

THE Advertising Standards Authority has criticised the Butter Council for making misleading health claims.

Complaints about an advertisement in newspapers last October have been upheld by the authority. The advertisement would have tended to confuse the public about healthy eating, the authority says. The Butter Council has been asked to modify it.

At the same time, the authority rejected a counter-claim from the council against Van den Bergh Foods, makers of Flora margarine.

The Butter Council advertisement was based on evidence that trans fatty acids in margarines (the result of chemical processes to thicken vegetable oils) might have the same effects in a diet as the saturated fats in butter. The advertising authority says that the Butter Council should have made clear that butter also contains small amounts of trans fatty acids in addition to saturated fats.

The Butter Council had also ridiculed claims made by margarine producers that their products were low in chole-

sterol, saying there was little evidence that cholesterol in food translated into cholesterol in the body. The authority says that consumers "may infer from the claim that eating butter bore little relation to raising cholesterol levels" and asked the Butter Council to change it.

The National Food Alliance, one of the complainants, said yesterday that the authority had taken too long to issue its ruling, which came "too late to clear up that confusion". Dr Mike Rayner said: "The ASA's ruling highlights the need for a thorough review of the codes of practice, for pre-vetting of adverts making health claims about foods, for speeding the complaints procedure and for effective sanctions, including fines."

The Butter Council did win one consolation victory. Complaints about an advertisement with the heading "Yum-Yum" and showing the chemical processes by which margarine is made were dismissed by the ASA. The presentation was "neither misleading nor inaccurate", the authority ruled.

Landowners appeal for ministry of rural affairs

By JOHN YOUNG

A GOVERNMENT department for rural affairs, to oversee the future of the British countryside and the 13 million people who live there, was called for yesterday by the Country Landowners Association.

Besides absorbing the responsibilities of the Ministry of Agriculture, Fisheries and Food, the department would take control of forestry, wildlife, rural planning, flood defence, water supply, landscape conservation, environmental protection, pollution control and extraction of minerals.

A policy document has been submitted to John Gummer, the Environment Secretary, and William Waldegrave, the Agriculture Minister, in advance of the Government's White Paper on the countryside, due to be published in the autumn.

Hugh Duberly, the association president, said yesterday: "Although agriculture will undoubtedly remain the predominant land use, there is a need for a move towards a broader-based rural policy." Farmers were responsible not only for food production but also the stewardship of the nation's land, and would remain the focus of all countryside policy. But jobs outside farming were also needed.



Duberly: seeking to broaden rural economy

While almost a quarter of the population lived in rural areas, they suffered from a lack of facilities. Fewer than 10 per cent of rural parishes had a bank, nursery or day-care centre; nearly three quarters had no daily bus service and over a third had no shop.

Mr Duberly added: "An estimated 37,000 rural households are in housing need and 16,000 are homeless, as a result of rising prices, lack of public sector funds, discrimination against renting, and restrictive planning policies."

The report claims that the rural economy is hampered by over-regulation and the designation of large areas of countryside for specific pur-

poses. The Government and the European Union must recognise that areas of landscape or wildlife value cannot be sustained merely by drawing lines on maps. The association fears that such maps will be misused through the planning system to constrain rural enterprise and economic development.

The report also claims that too many buildings are listed as of historic interest. It says that the key to protecting heritage buildings and sites is in finding economic uses for them which will yield funds for maintenance.

The report calls for more incentives for environmental management to protect and enhance wildlife habitats, landscapes and historical features. In return for receiving "stewardship" incentives, farmers must reduce their reliance on subsidies.

Access to the countryside is better ensured by voluntary agreements with landowners than by any statutory "right to roam", the report says. There must be proper recognition of the role of country sports in both the countryside economy and environmental management, and individual choice must be protected.

□ *Towards a Rural Policy: a Vision for the 21st Century* (Country Landowners Association, 16 Belgrave Square, London SW1X 8PQ, £5)

Lorry widow wins review

THE widow of one of six people killed when a lorry with faulty brakes crashed in Sowerby Bridge, West Yorkshire, in September 1993 has won the first round of her battle to prosecute the vehicle's owners. Brenda Waterworth, of Bradford, was granted a judicial review of a decision not to prosecute Fawston Transport for corporate manslaughter. Derek Waterworth was the driver.



Colin Ellis runs the largest British herd of bison, with 55 animals, at his Wiltshire farm. He began the herd with surplus zoo stock

Healthy buffalo roams into the British diet

By ROBIN YOUNG

BUFFALO, the staple diet of American Indians and prairie dogs, has arrived on British supermarket shelves as a lean, healthy meat of the future.

Tesco launched buffalo steaks and burgers from a ranch in Calgary, west Canada, in 160 of its stores yesterday. If the launch succeeds, other major retailers are sure to follow.

Buffalo is slightly stronger and sweeter tasting than beef, but can be cooked in all the same ways. At £5.99 for a 10oz pack of two steaks until March 5 (£6.99 thereafter) and £2.99 for two quarter-pound burgers (going up to £2.99) the meat is not much more expensive than prime

beef. "Our in-house tests show that it should go well with customers," a Tesco spokeswoman said.

The buffalo, or as it should more properly be called, bison, once roamed the great plains of America in vast numbers, perhaps 60 million at its peak. By the end of the last century they had been hunted to near extinction but numbers have since recovered.

The meat has less cholesterol than fish, let alone beef or chicken, and is approved of by the National Heart Association and fitness enthusiasts such as Jane Fonda.

Buffalo has to be cooked more carefully and at lower temperatures than beef. Buf-



Buffalo Bill: scourge of the plains herds

falo meat exposed to gas mark 7, a Canadian brochure admits, will be "nearly as palatable as roofing shingles". The best meat is tender-

loin, but there are only nine to 12 pounds of tenderloin on a typical carcass.

There are estimated already to be more than 150,000 bison on ranches in America and numbers could exceed a million by the end of the century. Forty ranches with average herds of 200 head apiece are operating in France and Belgium.

There are over 200 bison in Britain, where the animals were introduced in the 1870s by a game-hunting cowboy called Buffalo Jones. The largest British herd, of 55 animals, is run by Colin Ellis at a farm in West Knoyle, Wiltshire. He started his herd with animals from Chester Zoo. Another ten members of the British Bison Association, of which Mr

Ellis is secretary, have animals.

Chefs in Britain who have tried buffalo differ about how to handle it. Antony Worrall Thompson, who test-cooked the meat yesterday, served it with a compote of honey, apples and onions. "It is a little stronger than beef and a bit tougher," he said. "The burgers could do with some sort of barbecue sauce to zap them up a bit."

Bob Plumb, a Canadian rancher, recommends mouseline of bison or bison Wellington. At the Buffalo Bill museum in Cody, Wyoming, the restaurant sells snacks of dried bison jerky. Tesco is merely recommending that buyers grill or fry their steaks or burgers for 10 to 12 minutes.

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Price war 'would be illogical'

Le Shuttle summer fare undercuts ferry by £10

BY JONATHAN PEYNN
TRANSPORT CORRESPONDENT

HOLIDAYMAKERS taking their cars to France through the Channel Tunnel this summer will save £10 compared with the cost of using the cross-Channel ferry.

Eurotunnel's long awaited summer fares, launched yesterday, reveal a marginal difference between its price for a car and four passengers and those of its main competitors, P&O European Ferries and Stena Sealink. For cars with just one or two passengers, it will be cheaper to take the ferry from Dover, although, motorway-to-motorway, Le Shuttle takes only one hour, half as long as by sea. Ferry

operators are also offering discounts of up to 20 per cent on bookings before the end of March. From April 1 a standard return ticket for Eurotunnel's Le Shuttle service will cost between £214 and £306, according to time and date of travel. That compares with a range of £220 to £330 for the ferry and £239 to £329 for Hoverspeed. Five-day returns on Le Shuttle will cost between £115 and £169.

The announcement paves the way for the first high season clash between Eurotunnel and the ferry operators since Channel Tunnel passenger services started last year. However, Eurotunnel executives dismissed the threat of a price war being launched by

the ferry companies to meet the challenge of the new competition from passenger services through the tunnel. "We just do not see what kind of business logic would lead them to carry out a price war," said Georges-Christian Chazot, chief executive of Eurotunnel. "The tunnel will not just disappear, it cannot disappear. They just have to be sensible about it."

More than a million people have already used Channel Tunnel rail services and the number of trains operating between the Continent and England is being rapidly stepped up. From April Eurotunnel will operate a "turn up and go" service, with trains running at a rate of four

an hour by August. Until the end of April reservations will have to be made in advance.

Chris Laming, public relations manager at Stena Sealink, said bookings were on course to match last year's record, despite the competition.

"It remains to be seen how many members of the public want to go down a totally boring and utilitarian hole in the ground," he said.

A return air ticket to the Continent varies widely depending on class, time of year and departure airport, according to Thomas Cook. A super Apex return from Heathrow to Paris at the height of the season, costs £79 compared with £184 from Manchester.

SUMMER FARES ACROSS THE CHANNEL

All ferry and Sealink fares are subject to a 10% service booking discount if the booking is made by 31st March. Eurotunnel fares are subject to a 10% discount if the booking is made by 31st March.

Mode	Vehicle	Passengers	Fare	Duration
HOVERCRAFT	2222 (4000)	2222 (4000)	£222	45 mins
	2222 (4000)	2222 (4000)	£222	45 mins
LE SHUTTLE	2222 (4000)	2222 (4000)	£214	1 hour
	2222 (4000)	2222 (4000)	£306	1 hour
SEALINK	2222 (4000)	2222 (4000)	£239	1 hour
	2222 (4000)	2222 (4000)	£329	1 hour
FERRIES	2222 (4000)	2222 (4000)	£220	1 hour
	2222 (4000)	2222 (4000)	£330	1 hour

Head suspended 'for taping boy's mouth'

A HEAD teacher has been suspended after allegedly sealing a pupil's mouth with sticking tape to stop him talking in class. Police are investigating the incident.

Alex Christie, the head at Carmuir Primary School, Camelon, Central Scotland, is alleged to have made the 10-year-old boy stand in front of the class for ten minutes with his mouth taped. Central

Regional Council's education department met yesterday and decided to conduct its own investigation into the incident, which took place last week. Mr Christie was told of the council's decision by letter.

Police from Central Scotland Child Protection Unit at Banstockburn are conducting an inquiry after receiving a complaint.

Attacker freed after man is left disabled

AN ASSAILANT whose victim was left paralysed walked free from court yesterday.

Stephen Amer, 38, of Brighton, is still in hospital nine months after the street attack and might have to spend the rest of his life in a wheelchair.

Police from Central Scotland Child Protection Unit at Banstockburn are conducting an inquiry after receiving a complaint.

Robert Newton, 48, had originally been accused of causing grievous bodily harm.

After the case, Mr Amer's mother Margaret said: "This sentence shows the vast difference between justice and law."

Recorder Peter Biris, QC, was told how Mr Amer, a rail guard, hit his head on the road while fleeing from a punch by Newton, with whom there had been a long-running dispute.



Tumim: "little change since 1989 inspection"

Inspector says jail is affront to human dignity

BY RICHARD FORD
HOME CORRESPONDENT

HUNDREDS of prisoners at Armley jail, Leeds, live in overcrowded conditions that are "an affront to human dignity", Judge Stephen Tumim says in a report today.

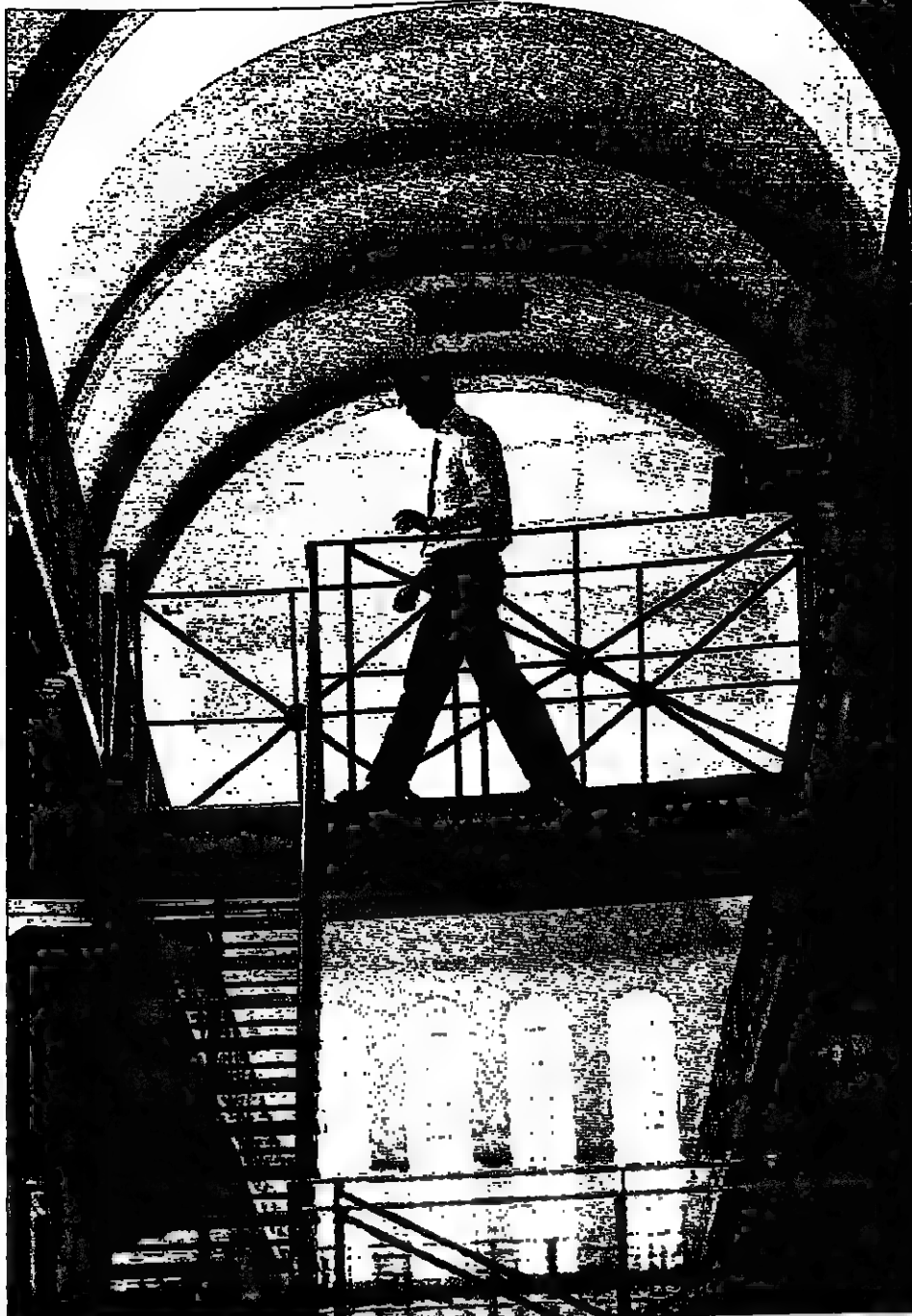
The Chief Inspector of Prisons condemns working conditions in some areas of the jail as appalling, particularly a segregation unit infested with vermin and lacking ventilation and natural light. Large areas of the premises were dirty and most remand prisoners spent 22 hours a day locked in their cells.

He says that perimeter security at the jail, which holds 1,104 inmates, was barely acceptable. Six closed-circuit television cameras were placed haphazardly and did not provide full monitoring of the perimeter.

Tony Fitzpatrick, the governor, did not have an office within the perimeter fence. He faced unremitting and serious overcrowding and a prison culture resistant to improving the regime.

The judge criticises the air of resigned institutionalisation among staff and prisoners. He says determined action by managers was needed to end the jail's tradition as a "human warehouse where prisoners and staff have to tolerate unsatisfactory conditions."

He says: "It was depressing that, in spite of improvements to some buildings, little had changed in conditions for prisoners since the last inspection in 1989."



Armley jail, Leeds: a "human warehouse with unremitting overcrowding"

oners since the last inspection in 1989.

The report blames overcrowding for many difficulties at the jail, built in 1847 and undergoing a £29 million redevelopment. "Leeds staff were trapped in a warehouse with apparently no chance to put things right because of unremitting overcrowding and insufficient activity."

Judge Tumim adds: "Prisoners were not in our judgment cowed through fear of staff: rather they were intimidated by conditions which were in many respects an affront to human dignity."

The Chief Inspector criticises the prison service for its failure over the years to stop overcrowding, which had resulted in "deeply unsatisfactory" conditions for staff and prisoners. The population of

1,104 compared with a certified normal accommodation figure of 985.

Most prisoners were still slopping out when the inspection took place in June 1994. An exercise yard covered by a cage for Category A prisoners was a "disgrace, contaminated by parcels of human excreta and bird droppings. It should be dismantled."

"Video games which, regrettably and unwisely in our view, had recently been installed, seemed in keeping with the general air of lethargy."

Last night Tony Fitzpatrick, the governor, said the judge's report was inaccurate in labelling Leeds as deeply unsatisfactory. "I accept that the conditions in the three Victorian wings at Armley are basic, but I cannot agree with the inspector's assertion that conditions here are an affront to human dignity."

The £29 million redevelopment had produced two new wings, ending slopping out for 600 prisoners, and a health care centre, kitchen and sports complex, Mr Fitzpatrick said.

In 1989 Judge Tumim condemned gross overcrowding for 1,171 prisoners at Armley. He found a squalid life to which staff and inmates had become inured and a "moribund regime" with limited constructive activity.

There had been too much concentration on packing in "as many prisoners as possible" and too little concern with giving them personal attention and physical activity to preserve self-esteem.

HM Prison Leeds, Report of the Chief Inspector of Prisons: Home Office, £1.50

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Crime linked to unemployment

BY PHILIP BASSETT, INDUSTRIAL EDITOR

CRIME is linked to unemployment, a new study claims today, challenging the Government's insistence that there is no correlation between increased lawlessness and the number of people out of work.

The report from the independent Employment Policy Institute, acknowledging that the Government has "strongly resisted" any idea of unemployment being a cause of crime, maintains that the statistical evidence linking unemployment and crime is "much stronger than is commonly supposed".

The study says that Home Office research does not take sufficient account of the way that falls in unemployment lag behind economic recovery, and is not adjusted for inadequacies in official jobless figures. On closer examination, it says, changes in crime can be linked to

the state of the labour market. "The fact is that the nation's unemployment black spots - Cleveland, Merseyside, Northumbria, Greater Manchester, South Yorkshire, West Midlands, Greater London and South Wales - are also its crime black spots". The study accepts that it would be wrong to claim that all people out of work resorted to crime.

The study's author, Dr John Wells, an economics lecturer at Cambridge University, refers to a phrase coined by Tony Blair when the Labour leader was Shadow Home Secretary, saying: "If we are going to be 'tough on crime and crime', then we have to come down hard on two of the very well-documented causes of crime: unemployment and poverty."

The Government strongly denied yesterday any link between crime and

unemployment. The Home Office said that while evidence varied, studies showed there was no link between unemployment and crime. "There is no single cause of crime," it said.

The Department of Employment said: "Unemployment does not cause crime. People commit crime." While both unemployment and crime were too high, it was incorrect to suggest that poverty and unemployment caused crime.

Michael Portillo, the Employment Secretary, will today announce the latest unemployment figures, which ministers hope will continue the two-year downward trend in the number of people out of work and claiming benefit. City forecasts are suggesting that unemployment could fall today by a further 36,000.

Leading article, page 17



Dealer South Love all. Rubber bridge

S	W	N	E
1♠	Pass	2♠ (1)	Pass
2NT (2)	Pass	3NT	Pass

Contract: 3NT by South. Opening lead: five of diamonds

By ROBERT SHEEHAN
BRIDGE CORRESPONDENT

(1) Raising to Two Spades is correct in my view. The reason is that South is more likely to make a game try on a marginal hand after a raise than after a 1NT response. On this hand South would have passed 1NT and a good game would have been missed. If North had the queen of spades instead of the ace it would have been correct to respond 1NT.

(2) Normally you need 17 points to continue with 2NT in this sequence. However, when spades are supported the South hand improves - the straggly suit will now be a good source of tricks, and



By RAYMOND KEENE
CHESS CORRESPONDENT

New ratings
In the Professional Chess Association's latest rankings, Garry Kasparov has sunk to 2,789 points, well below his normal 2,800. Anatoly Karpov is second (2,759) and Gata Kamsky third (2,741).

Sanghi leaders
Anatoly Karpov has won his sixth game against Boris Gelfand in Sanghi Nagar, India, and leads by 3½ to 2½. Gata Kamsky needs one draw to reach the Fide final.

White: Anatoly Karpov
Black: Boris Gelfand
Sanghi Nagar, Game 6
Benko Gambit

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
d4	c4	c5	c6	b5	b4	b3	b2	b1	a8	a7	a6	a5	a4	a3	a2	a1			

Winning Move, page 48

Bonn plans spot checks of foreigners to plug new holes in its borders

FROM ROGER BOYES
IN BONN

GERMANY

GERMAN authorities plan snap checks of foreigners within a few miles of its borders with other European Union countries to try to plug some of the holes that will be opened next month by the Schengen agreement.

Bonn has promised to supply an extra 500 border police to the southwestern state of Baden-Württemberg, which has a common frontier with France. Provincial states like Bavaria already carry

out checks behind the frontier, monitoring cars coming from Austria.

Germany's borders with Poland and the Czech Republic, its eastern neighbours, have been tightly controlled for some time, although neither Poles nor Czechs need visas to enter the country. Agreements with Warsaw and Prague ensure that many potential refugees and asylum seekers from the Balkans are turned away long

before they reach the German frontier. Now many of these immigrants are trying to enter Germany across EU borders. According to the Baden-Württemberg interior ministry, 1,665 people entered the province illegally from France in the first eight months of last year. Most of the illegal immigrants are Albanians from Kosovo.

The figures are likely to jump dramatically from March 26, when the Schengen agreement is implemented in all EU states except Britain, Denmark and Ire-

land. Helmut Zorell, the Baden-Württemberg Interior Minister, has sent a formal request to Bonn for the federal authorities to "improve" the Schengen agreement by, for example, setting up cross-border observation and giving police the right of pursuit in neighbouring states, as well as enhancing the unsatisfactory international police controls currently in force.

Bonn, by promising the extra border police, seems to agree that such hinterland policing is necessary. The Schengen agreement

allows extra controls under Article 2 only as an exceptional and temporary measure if public order or national security are threatened and only if the affected member states are consulted. But there seems to be nothing to prevent random checks in the hinterland, some miles beyond the actual border. Baden-Württemberg is urging Bonn to begin talks with France about introducing equivalent controls on the French side of the border.

The irony of Schengen is that open frontiers may lead to greater

police controls in everyday life. The current borders between Germany and the Benelux states have been informally open for a few years: it is already possible to travel by train without any identity documents between Berlin, Amsterdam and Brussels.

This has indirectly spurred some social reforms in Germany. Since soft drugs can be bought over the counter in Dutch coffee shops, Germany too has had to consider liberalising its policy on the use of cannabis. Informal police co-operation has become the

order of the day in border towns such as Maastricht, with Belgian and German police sometimes allowed to pursue suspected criminals across the border into Dutch territory.

Schengen may actually lead to a tightening of these controls. But Germany's main concern is that Islamic activists, in trouble in France, will use Germany as a shelter. Some Algerian fundamentalists have already set up a base outside Cologne, causing some friction between France and Germany.

Britain's border controls face Euro court test

BY MICHAEL DYNES
AND GEORGE BROCK

THE European Court of Justice is preparing to hold its first formal hearings on the abolition of internal frontier controls in the spring, court officials in Luxembourg confirmed yesterday.

The hearings can be expected to provoke a furious response from Tory Euro-sceptics, who fear the Government is being forced to abolish Britain's internal frontier checks against terrorists, drug traffickers, criminals and illegal immigrants. Legal action is being brought by the European Parliament against the European Commission for its failure to force Britain and Ireland to abolish their internal frontier controls, as required by the terms of the Single European Act.

Britain and Ireland have insisted that they obtained an exemption from the Single

EU LAW

European Act commitment to create a Europe without frontiers. The Commission has never endorsed this view, although it has hitherto failed to resolve the issue.

Jacques Santer, the President of the European Commission, will today signal to MEPs that he wants to end Britain's passport checks on EU travellers. But his declaration is likely to demonstrate more shadow than substance.

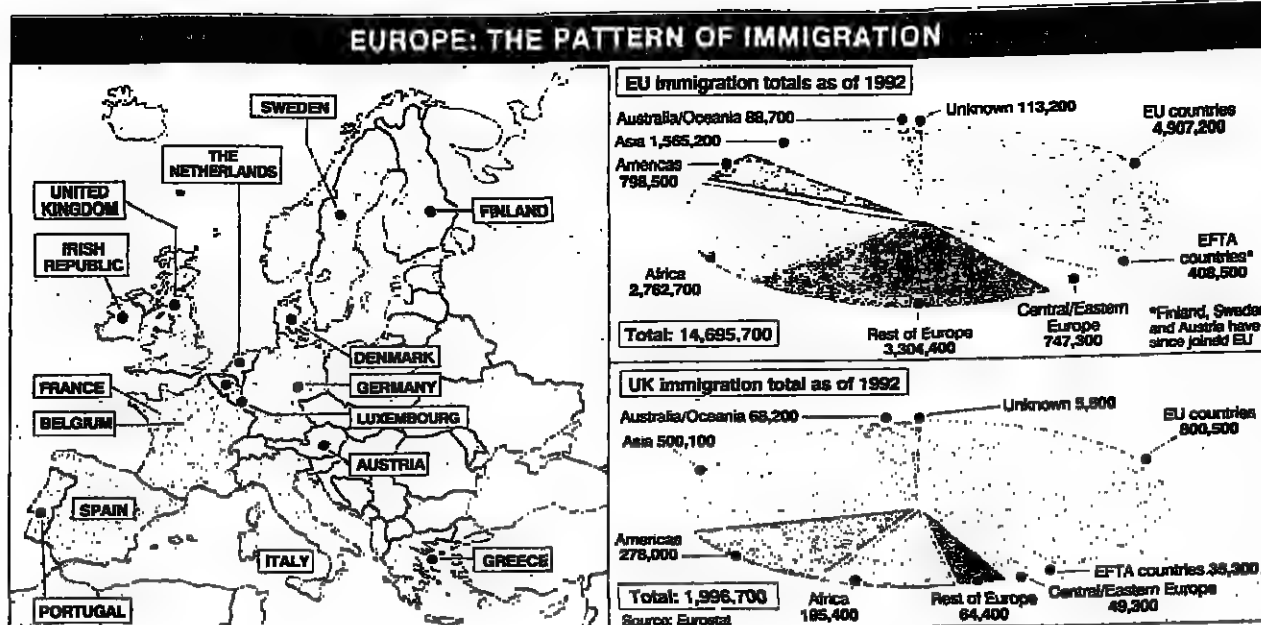
Commission officials yesterday said that, while they continued to object to Britain's retention of border controls, any action by Brussels will be cautious, careful, and will take account of the views of national governments. One official, bridling at British tabloid newspaper reports suggesting that the Commission can and will strike down Britain's frontier controls in the near future,

admitted: "It's a bloody difficult issue."

Under European law, EU institutions have the right to take legal action against other Union institutions for failing to carry out their obligations. That process was set in motion by the European Parliament in November 1993, when it lodged a complaint against the Commission claiming that Brussels had failed to create a Europe without internal frontiers.

It is by no means certain that the court would find against the Commission, which would have the effect of forcing Brussels to move against Britain and Ireland. But Britain and France, which are anxious to have their voices heard, have already intervened in the case against the parliament in support of Brussels.

Preliminary written procedures, which outline the merits of the case, were completed



last December. The first hearings are expected to take place in the spring, although no date has been set. A decision is unlikely to be made before the end of the year, officials say.

The court may decide, however, that member states need more time to resolve the issue, in which case it would be up to next year's Inter-Governmental Conference to settle the issue. Should the court decide that the Commission has failed to carry out its treaty obligations, the Commission may then be forced to initiate legal action against Britain

and Ireland for their refusal to abolish internal frontier controls in line with Article 7a of the European Single Act.

Under the protracted three-stage process for legal proceedings against infringement of European Union law by member states, the Commission would first notify the offending country that it had failed to carry out its legal obligations and invite it to reply to the allegations.

If the Commission is not satisfied, it initiates the second stage by issuing what is known as a "reasoned opinion", in which the Commission sets out chapter and verse of the alleged infringement, giving the member state a deadline to comply by — usually of two or three months' duration.

If the member state still fails to comply by the allotted deadline, the Commission will start legal action in the court, forcing the member state to fall into line or face the prospect of a heavy fine to be determined by the Commission. Although the Commission has argued for several years that Britain should not check

the identities of travellers arriving from ports and airports inside the EU, Britain counter-claims that bona fide EU citizens can only be distinguished from non-EU travellers through passport checks, and that a treaty footnote recognises this.

Even if Britain found itself isolated on the issue, its combination of veto over any proposed EU directive and eventual resort to the EU court would mean that passport officers will continue to staff the booths at Dover and Heathrow for years to come.

Pasqua resists abolition of controls

FROM ADAM SAGE
IN PARIS

FRANCE

CAUGHT between a pro-European President and a singularly sceptical Interior Minister, France has long known that the abolition of passport controls is fraught with tension and difficulty.

After more than two years of hesitation, the French Government said last December that it was ready to implement the Schengen agreement and abandon border checks within the European Union. But its grudging acceptance of an accord that was meant to come into effect in January 1993 indicated that the issue still stirs strong emotions in sections of the Cabinet.

Foremost among the sceptics is Charles Pasqua, the Interior Minister, whose fight against illegal immigration has been central to his policies since his appointment in 1993. M Pasqua has avoided ex-

pressing outright opposition to the abolition of border controls for fear of upsetting President Mitterrand, a keen supporter of Schengen. Yet critics of the Gaullist Interior Minister suspect that he nonetheless wants to subvert the spirit if not the letter of the agreement. In 1993, for instance, tough new anti-immigration measures were introduced in what the Government said was a necessary counterweight to Schengen.

However, implementation was delayed for well over a year because of "technical hitches" with a French-designed computer system that is to contain information on criminals, illegal immigrants and other "undesirables" throughout the Schengen area. Described as a vital element in the policy, this system — known as SIS — was

given the go-ahead just before Christmas. Almost immediately, M Pasqua found another problem in the allegedly lax attitude of Dutch authorities towards drug traffickers.

"We are very favourable towards Schengen but it has to work," a close adviser to M Pasqua said yesterday. "We have therefore adopted a pragmatic attitude. Schengen must be a plus and not a minus for the EU. If it is a minus, it's obvious that Europe will suffer another blow."

He said that a new 6,200-strong French police force set up last October to lead the fight against "clandestine immigration" would help to plug the gaps that Schengen would inevitably create. So too, he added, would an agreement that French and German police can chase suspects up to almost 20 miles into each other's territory.

Nevertheless, M Pasqua,

who finally agreed that Schengen could come into operation at the end of next month, has insisted on a three-month period that he describes as a "trial" and which his more enthusiastic German counterparts describe as an "initial phase".

During this period, passport controls at French borders will be maintained, although those at airports will be abolished. "We want to see whether there is an effective control on Europe's external frontiers to judge whether the system works as we wish," M Pasqua's aide said.

Again, however, critics suspect that the Interior Minister is being less than open. They point out that by the end of the three-month trial, President Mitterrand will have retired and M Pasqua will — or so he hopes — have become Prime Minister, putting him in a strong position to reform the agreement.



The arrest of a suspected illegal immigrant on the M4 near Heathrow. Britain says that such incidents underline the case for internal border checks

Hurd champions European diversity

FROM NICHOLAS GEORGE
IN STOCKHOLM



Hurd: "Nato and EU must be expanded"

ANY attempt to impose "massive changes" at the inter-governmental conference in 1996 would lead Europe into a "bog", Douglas Hurd, the Foreign Secretary, said yesterday.

He gave a warning that concentrating power in a centralised European Union would be to turn against European geography and history. The priority was expansion of both the Union and Nato, a process that he said "must not lose steam or fall prey to doubt".

In a speech to the Institute of International Relations in Stockholm, Mr Hurd said the present structure of the EU was right, although it could work better. "Some argue that Europe is strengthened by

concentrating yet further powers at the centre, by following the model of a United States of Europe," he said. "But to deny the central importance of national governments and national parliaments, to insist on

uniformity where geography and history have created diversity — that would be to push too far, to run against the grain of our history and the instincts of our peoples."

Mr Hurd also said: "It would be a huge mistake at the inter-governmental conference in 1996 or 1997 for politicians to agree massive changes which were then rejected by national parliaments or people. We should have learned from the experience after Maastricht, which was narrowly rescued from disaster in more than one country. To disregard that lesson would be to leap forward — but into a bog."

The Foreign Secretary, who met Ingvar Carlsson, the Prime Minister, and other Swedish ministers, said the tide of new laws from Brussels had been halved between 1991

and 1994. "We have seen a wider realisation that a Commission which fuses its way into every corner of its citizens' lives is not strengthening those citizens' commitment to the European idea, but risks weakening it," he said. "Today emphasis on subsidiarity, and today's conviction that we need fewer laws, better observed, are things that Britain has fought hard to bring about."

Mr Hurd said that in the next decade, member states must "share the fruits of successful partnership: to extend more widely the benefits of security and prosperity, and to entrench them in our neighbours to the East". This meant the further enlargement of both the EU and Nato. "The process of reaching out must not lose steam. It must not fall prey to doubt."

Gibraltar dispute blocks deal to boost external barriers

BY MICHAEL DYNES

FRONTIERS

PROPOSALS to erect an external barrier against illegal immigrants, drug traffickers and terrorists to compensate for the abolition of internal frontiers are in deadlock. Home Office officials confirmed yesterday.

A draft text of the European Frontiers Convention was agreed by European Union interior ministers in June 1991, but was not signed because of Spanish objections to British territorial claims over Gibraltar.

The creation of the external frontier was further complicated in 1993 following an attempt by the European Commission to link the implementation of the new external

frontier with the abolition of internal barriers.

Britain objected to the Commission's initiative on the grounds that external and internal controls are separate issues and must not be linked, because linkage would undermine the Government's determination to retain internal frontier controls.

The frontiers convention, which embraces five broad policy areas, is designed to tighten up external access to the 15 members of the Union.

The five areas are:
□ A uniform European visa: A comprehensive list of countries whose citizens would have to obtain a visa

before entering any member of the European Union.

□ A visa exemption regime: An exemption for people resident in the European Union who are not citizens, and who want to visit other member states for short periods.

□ A three-month short visit visa: This is designed for people who are not citizens or resident in any EU member state but who want to visit for a short period.

□ Prohibited list: A computerised list of known criminals, terrorists and drug traffickers who have been prohibited entry to any member state.

□ Redesign of airports: The re-configuration of airports throughout the EU to ensure that all domestic and external arrivals are separated.

U-turn on Cambodia aid ruling

LONDON: Britain has rescinded a controversial order insisting that all aid agencies funded by the Government withdraw non-Cambodian personnel from the Cambodian countryside.

The change comes less than two weeks after the original order caused uproar among the 13 British agencies there.

At a meeting yesterday, Tony Baldry, a junior Foreign Office minister, and the Foreign Office minister, and the Foreign Office minister, agreed that foreign aid workers could remain in the countryside, where several foreigners have been kidnapped and murdered by Khmer Rouge rebels this year, provided there was regular security liaison with the embassy.

Chechnia truce fails to hold

MOSCOW: The temporary ceasefire in Chechnia was repeatedly broken yesterday by both the Russian and the Chechen sides, but commanders of both forces reaffirmed their commitment to continue with it. Opposing military leaders are due to meet again today in neighbouring Ingushetia to try to expand the present agreement not to use heavy weapons.

In Stockholm, Douglas Hurd, the Foreign Secretary, said yesterday that the Kremlin's actions in Chechnia were jeopardising support for the process of reform in Russia.

The Russian Government has ordered the military and

the Chechen Government to create a "no-fly zone" in the sky over the conflict zone. The Russian Government has also ordered the military and

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Day Three... When faith is the only solution... to the impossible

St Agnes' Stand THOMAS LIDSON

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French isolated in move to build culture barriers

FROM CHARLES BRENNER IN BORDEAUX

FRENCH attempts to forge new European barriers to American "cultural colonialism" appeared doomed last night as Germany and other main partners joined with Britain Heritage Secretary in rejecting tighter quotas on imported television shows.

Strong resistance from European Union Culture Ministers meeting in Bordeaux one day after Edouard Balladur, the Prime Minister and presidential favourite, proclaimed the protection of Europe's cultural heritage to be one of the main goals of his campaign. Since the start of the French EU presidency last month, French ministers have been painting apocalyptic visions of a fragile Europe ravaged by Hollywood soap operas.

Clearly shaken back by the resistance from north Euro-

pean states to France's protectionist drive, Jacques Toubon, its Culture Minister, last night delivered an impassioned harangue against the "squeamish" attitude of the British and other ministers who rejected protectionist measures. "Europe is not just about quotas on cars or our ability to make and sell aeroplanes," he said. "I asked my colleagues, 'Don't you want Europe to exist culturally, even to exist at all?'" M. Toubon vowed to fight on.

The Gaullist Culture Minister faced an uphill struggle in Bordeaux trying to win support mainly for toughening the so-called Television sans Frontières (TSF) directive, which sets a voluntary limit of 50 per cent on broadcasting of non-EU programmes.

As expected, Stephen Dorrell, Britain's Heritage

Secretary, led the opposition to the French attempt to use the law to shore up *les oeuvres audiovisuelles communautaires*. He was supported in varying degrees by Sweden, Denmark, The Netherlands and Ireland. The surprise was Germany, which proclaimed that quotas had no place in regulating what people watched. "We do not have a European car... I don't see why there should be a European film," Helmut Schaefer of Germany told reporters.

M. Toubon singled out Britain for scathing attack, wondering why London rejected the notion of quotas when the BBC far exceeded the minimum of domestically produced programming prescribed by the TSF directive of 1989. "If they already do it voluntarily, why do they refuse to follow me?"

A Danish Government official gave the alternative view as M. Toubon looked on. "We think quotas are for fishery policy and not for culture. Culture is something special and we don't see any evidence that quotas give any benefit."

Only the Greeks appeared fully to support the French view, British officials said. "The weight of opinion is heavily against the tightening of quotas," Mr Dorrell said.

Complicating the quota issue is the explosion of entertainment sources with satellites and new multimedia services. In its crusade to hold back what they see as the suffling power of the Americans, France wants urgent action to curb American firms which are "pillaging" the museums of Europe for distribution on CD-ROM discs.

"We will be in a position of being digitally colonised," M. Toubon said. "We will be like the Ivory Coast which sells its cocoa to France in order to buy it back as chocolate... We must say to our museums: 'Don't accept the digitalisation of your images proposed by Apple or Microsoft'."

While Britain, Germany and the north European states favour programmes to stimulate the European multimedia industry, they reject all such French notions of imposing protective barriers.



An addict injects heroin beside the barbed wire at Zurich's notorious "Needle Park" after the area was fenced off in a police crackdown. Switzerland yesterday attempted a fresh start in dealing with its thousands of drug addicts and dealers from all over Europe had been free to trade and use heroin and cocaine (Sharmila Devi writes). At its height, up to 4,000 addicts would descend on the Letten Bahnhof stretch of disused railway track while to buy, sell and

Swiss seek new drugs policy after 'Needle Park' crackdown

inject drugs, while the state turned a blind eye. Health workers estimated that every other day at least one addict would die from an overdose. A nationwide programme to arrest dealers, forcibly return Swiss addicts to their home cantons and deport foreign addicts culminated with yesterday's midnight deadline for all junkies to clear the area. The deadline passed without incident.

A wider debate is now raging on how Switzerland should proceed to deal with addicts, prostitutes and others on the fringe of society. The city of Bern has announced it will

double its experimental heroin distribution programme to reach up to 1,000 hardened addicts.

Now that Letten is fenced off, street prices are expected to rise. When the Swiss cracked down in 1992 on the original "Needle Park" near Zurich's city museum, prices rose sharply. This has provided further ammunition for the sizeable minority who argue for at least limited decriminalisation of drugs to remove the profit motive for dealers and to reduce drug-related crime.

Claret kings suffer case of sour grapes

FROM ADAM SAGE IN PARIS

FRENCH wine producers have reacted furiously to an American attempt to rewrite a 140-par-old classification of some of their most prestigious vineyards.

The "reclassification", conducted by a jury in San Francisco, has prompted talk of treacherous war among the chateaux owners of southwest France. Most experts accept that some kind of reform was needed.

In 1855 Napoleon III asked for a list of the finest Bordeaux, a request that resulted in five being given the label Premier Cru. Lafite-Rothschild, Magesau, Latour, Haut-Brion and Yquem. A further 57 wines were labelled second to 50th.

Since then various French Governments have passed decrees classifying other Bordeaux that had been ignored in 1855. 12 St-Emilion wines were awarded the Premier Cru label in 1969, 5 was Mouton-Rothschild in 1973.

The reclassification was organised by Gordon Getty, the millionaire, and Robert

Finigan of the American magazine *Wines and Spirits*. For four days in January, some of the world's leading wine experts, including Serena Sutcliffe of Sotheby's, sat in a San Francisco hotel, tasting and discussing and finally producing a new list that has just been made public.

Inevitably, there were some shocks for world of French viticulture. The most celebrated names — wines such as Latour and Lafite — were pushed out of the top three by other Bordeaux: Pichon-Longueville finished first, Lynch-Bages second and Haut-Brion third.

The result has been outrage. As the French newspaper *Libération* pointed out, the 1855 classification may be flawed but it is seen as a "historic monument".

All of the Bordeaux vineyards were destroyed in the phylloxera epidemic of 1863, just eight years after the classification. Ironically, they were replanted with vines from California, the only ones that were phylloxera-resistant.

Chiapas offensive called off by Mexico

BY DAVID ADAMS

PRESIDENT ZEDILLO of Mexico yesterday abandoned a controversial five-day-old military offensive in the rebellious southern state of Chiapas. He announced the surprise decision at a meeting of indigenous groups in Mexico City and said he had ordered the army not to "provoke armed confrontation" with the Zapatista rebels, who launched an uprising in January last year.

In an earlier conciliatory move, Eduardo Robledo, the ruling party Governor of Chiapas, stepped down in what he said was a contribution to peace efforts. His resignation was likely to help ease tensions in the state after the Government began its offensive to capture Zapatista leaders.

"Today I am giving precise instructions to the Attorney-General's Office and the Mexican Army that they do not carry out any action which may provoke armed confrontation [in Chiapas]," Señor Zedillo said. "The Mexican Army will not take any offensive action and will restrict itself to patrols aimed at



Maria Guevara, an alleged Zapatista commander, listens as a prosecutor in Mexico City reads charges against her

preventing acts of violence," he added. The Zapatistas had demanded Señor Robledo's resignation as a precondition for peace talks with the Zedillo Government. Observers assume that Señor Robledo was forced to resign after pressure from Señor Zedillo, who has been under growing criticism for ordering the assault on Chiapas.

Independent election observers backed allegations of widespread fraud by the ruling Institutional Revolutionary Party in the state elections last August. Señor Robledo took office in December but has since been challenged by a rival rebel transition administration, which claims that the opposition left-wing Democratic Revolutionary Party won the election.

Amada Avendano, the Revolutionary Party candidate, is the popular editor of a

local newspaper in the town of San Cristóbal de las Casas. Señor Avendano and his followers have strongly opposed government efforts to crush the Zapatistas and support the civil rights and property claims of the state's landless indigenous majority.

Señor Robledo called on Mgr Samuel Ruiz, the Bishop of San Cristóbal de las Casas, who has mediated during the rebellion, but was recently accused of having links to the Zapatistas, to resign as well to show "that his true interest was always that of Chiapas".

The rebels launched their insurgency last year to demand basic rights and services for the impoverished Indian peasants of the southern state. More than 145 people were killed before a ceasefire was declared.

Photograph, page 24

America opposes four-nation peace plan for Bosnia

BY MARTIN FLETCHER AND OUR FOREIGN STAFF

THE Clinton Administration is opposing a new plan drawn up by the five-nation Contact Group in a last-ditch effort to resolve the Bosnian conflict.

The plan envisages the suspension of all economic sanctions against Serbia in exchange for Serbia recognising all new Balkan states, accepting the Contact Group's proposed territorial division of Bosnia, and ending all support for the Bosnian Serbs.

President Milosevic of Serbia would also have to endorse the so-called Z-4 peace plan for Croatia under which Croatian Serbs would be given wide autonomy in return for recognising Croatia's territorial integrity.

Britain, France, Russia and Germany broadly support the plan, which the Contact Group was discussing in Paris yesterday and the French want to present to a three-way summit involving the presidents of Bosnia, Serbia and Croatia.

But the Clinton Administration fears that suspending all sanctions would enable Serbia to rebuild itself and then renege on its commitments, and that such a large concession to Mr Milosevic would arouse strong congressional opposition.

A memorandum leaked in Washington yesterday suggested that America would push a "more conservative alternative" under which certain sanctions against Serbia would be temporarily lifted but not those involving strategic goods such as oil, coal, iron, steel, chemicals, financial loans and various means of transportation.

It is doubtful whether Mr Milosevic would accept even the broader plan, because that would be tantamount to renouncing his vision of a Greater Serbia. But if he did show interest Washington would come under considerable international pressure to relent in order to achieve a negotiated settlement. Croatia

has threatened to expel all 12,000 UNPROFOR peacekeeping troops from its territory by the end of March, a move that could well lead to a new war between Croatian government forces and Croatian Serb separatists.

The four-month ceasefire in Bosnia ends on May 1, when better weather will make heavy fighting possible again and Congress is threatening unilaterally to lift the UN arms embargo against Bosnia's Muslims. Such a drastic move would cause a profound rift with America's NATO allies and undermine the UN.

The United Nations High Commissioner for Refugees said yesterday that hundreds and possibly thousands of people in Bosnia's Bihać pocket could soon die of starvation unless Serb forces allow relief convoys through. It said requests to the UN and Nato for air drops of food to the beleaguered enclave had so far been turned down because of the threat from Serb anti-aircraft batteries.

"We don't know of anyone who has starved to death yet but it's certainly possible in the very near future if this [Serb blockade] continues," Ron Redmond, the UNHCR spokesman, told a news briefing in Geneva. "We demand to be given access to help these innocent people."

In Sarajevo a UNHCR official said a ten-ton convoy due to have left Zagreb for Bihać on Monday had not been given clearance by the Bosnian Serbs so would not go.

"They are stringing us along," Mr Redmond said in a reference to the Bosnian Serb authorities in their headquarters, Pale, and the Croatian Serb leadership in Knin in Serb-held Croatia.

"Ultimately, responsibility rests with those who are blocking us... it would be an absolute horror for the international community to see these people starve," he said.

Jail lifts penalty on Tyson

New York: Mike Tyson, the former world heavyweight boxing champion, has had his original release date of March 25 reinstated, a prison department spokeswoman told the *Indianapolis Star*.

Tyson, 28, was sentenced to six years in jail after he was convicted in February 1992 of raping Desiree Washington, a contestant in a beauty competition. His release date was put back to May 9 after he was disciplined in May 1992 for threatening a guard and disorderly conduct at the Indiana Youth Centre in Plainfield.

Pam Pattison, the spokeswoman, said that the commissioner in charge had decided that Tyson's misconduct was likely to have been caused by difficulties in adjusting to prison. Since then, Tyson was said to have been a model prisoner. (Reuters)

Former Nazi poison firm loses land claim

FROM ROGER BOYES IN BONN

THE successor of Nazi Germany's poison gas maker has had its hopes dashed of reclaiming some prime property in the centre of Berlin.

Germany's Federal Administrative Court has ruled against the IG Farben company and hundreds of other claimants, including descendants of the Prussian aristocracy and suspected Nazi collaborators, who said that they had rights to confiscated land currently valued at about £16 billion.

The verdict ends one of the most bitter of Germany's post-unification legal battles and will speed up construction work on Berlin sites, such as the Potsdamerplatz, which has been held up because of uncertain land ownership.

Under the terms of the 1990 German unification treaty, owners of property confiscated by the Nazis between 1933 and

1945, and by East German communists between 1949 and 1990, could claim compensation for restitution. There was an exception: property confiscated by the Soviet administration which governed East Germany until October 1949 was not considered a German liability. This included the natural targets of Soviet commissars such as Prussian landowners.

IG Farben — now a mere shell company — had its property confiscated because of its close involvement with the Nazi movement. The chemicals company helped to fund the Nazi party and produced, among other war materials, the Zyklon B gas used in concentration camps to kill millions of people. The successor company had claimed that it was entitled to 130,000 sq metres (32 acres) of property in Berlin.

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CIA traitor tells of return from Russia for love

FROM MARTIN FLETCHER IN WASHINGTON



Howard says he never spied for the Kremlin

EDWARD LEE HOWARD, the CIA traitor, claims in a new memoir that he slipped back into the United States nine months after fleeing to Moscow in September 1965.

Howard says he returned because he wanted to speak to his wife before announcing his defection. Before he saw her, however, he met a "KGB contact" in a park in an eastern American city who showed him classified Justice Department and FBI reports. These said the US Government considered his wife a trusted informant who would immediately report any attempt by him to contact her.

This was a "terrible, crushing disappointment", Howard writes in *Safe*

House, obtained by *The Washington Post* before its publication next month. He decided that "the only way that I would ever see my family again was to return to Moscow, defect and invite them to openly visit me".

Howard describes the "KGB contact" who showed him the papers only as a man in jogging clothes who was "obviously not a Russian". According to the *Post*, the FBI is now trying to establish whether Howard's story is true, in which case there must be another Russian mole operating inside the Government.

He also says that he was identified as a spy by Vitali Yurchenko, the KGB defector, in August 1965 in order to deflect attention from Aldrich Ames, the CIA spy who has admitted he began passing classified information to Mos-

cow two months earlier. The colonel "defected" back to Moscow at the end of 1965, so Howard's book reopens the question of whether his initial defection was genuine, or merely contrived to feed false information to the CIA and the FBI. Howard denies spying for Moscow, but the newspaper quotes officials who say they did not believe Howard's explanation of Colonel Yurchenko's actions.

Howard was dismissed by the CIA for poor conduct in 1963 and settled in New Mexico. He foiled agents sent to arrest him after he had been exposed by the colonel, and later turned up in Moscow. He claims he spent months preparing for his clandestine return to America, acquiring a false passport and receiving KGB training in "how to handle border crossings and police questioning".

Hekmatyar forced to flee by army of student radicals

By Christopher Thomas, South Asia Correspondent

A NEWLY formed army of Islamic students capped its stunning advance through Afghanistan yesterday by overrunning a key rebel base south of Kabul, placing it within striking distance of the capital. This has overturned all military and political equations in the shattered country.

The army of young radicals captured Charasayab, 15 miles south of Kabul, the headquarters of Gulbuddin Hekmatyar, the Pashtun extremist who has relentlessly shelled the city in an attempt to seize power from the Tajik factions that hold it. Mr Hekmatyar fled so fast he left behind personal property, including clothes and papers. He is believed to have set up a new headquarters in the town of Sarobi, 35 miles east of Kabul. He said government jets had pounded Charasayab while Taliban, the student army, and government forces mounted a land attack. His spokesman admitted that heavy equipment had been abandoned in the flight. "The situation is very, very bad."

At least 15,000 people have died in Kabul since the collapse of the communist Government in 1992, most of them from Mr Hekmatyar's shells. One of the world's largest refugee camps, with 750,000 people, has grown up east of the capital near Jalalabad.

Food convoys from the United Nations and the Red Crescent began pouring into the city a few days ago after Taliban opened a supply route from the south. That brought rare hope to a city struggling to survive cold, hunger and war. Most of Logar province south of Kabul is now in Taliban's hands, the ninth of Afghanistan's 30



provinces to fall to the mysterious group. A third of the country is under its control.

Taliban, formed only six months ago, rose out of Afghan refugees studying in Islamic schools in neighbouring Pakistan, from which it doubtless receives much of its funding. It has drawn admiration both from Islamabad and Washington for its crusade against the drugs trade, which has funded fighting between rival warlords. Afghanistan is one of the world's largest producers of raw opium.

A multiparty council involving former Mujahidin fighters is due to assume power on Monday from President Rabbani under a United Nations peace plan. There will be a question mark over the plan, however, until it becomes clear whether Taliban intends to try to take Kabul forcibly. So far, it has refused to have anything to do with the former Mujahidin.

Taliban has not lost a battle since beginning its relentless march through the country, but it now faces the formidable Kabul defence forces led by Ahmad Shah Masood, a Tajik warlord with an impressive record of military victories. His men seized Kabul after the communist Government fell.

The Afghan Defence Ministry said the Government con-

trolled almost all areas around the city except territory held by Hezb-i-Wahadat, a Shia group, where fighting was continuing. The group had been guaranteed safe passage if it abandoned its enclave of Karte Seh in the southwest of the city. The Government also claimed to have recaptured Kunduz, 150 miles north of Kabul, from the forces of the Uzbek warlord, General Abdul Rashid Dostum, a former Government ally who switched sides just over a year ago.

"Although the Taliban are getting very close to Kabul, we don't believe they will try to attack," the Defence Ministry said. "We believe we can work with them," it said.

Taliban has pledged to "cleanse Afghanistan in the name of Islam". Its success seems to be due in large measure to popular support among Afghans who are sick of factional fighting.



Gulbuddin Hekmatyar: thousands have died in his campaign to take Kabul

Wall Street put on terror alert over shaikh bomb trial

FROM JAMES BONE IN NEW YORK

WALL STREET has been put on a terrorism alert after informers told police that Muslim extremists were planning to "strike at the heart of American capitalism" and may be targeting one of New York's stock exchanges.

At least two informants are reported to have warned of a revenge attack to coincide with the trial of the radical Egyptian cleric Shaikh Omar Abdel-Rahman and 11 of his followers on terrorism conspiracy charges in New York. The attack was apparently ordered in January and is to take place before the end of the Muslim holy month of Ramadan on March 2.

Law enforcement sources quoted by *New York Newsday* described the tips as "uncomfortably credible".

Police have met business leaders in the lower Manhattan financial district and circulated a memorandum warning Wall Street firms to keep their buildings under "constant scrutiny". Extra police officers have been assigned to patrol the Wall Street area and traffic has

been restricted near the New York Stock Exchange.

Prosecutors in a case against Shaikh Abdel-Rahman and his followers have compiled a list of 170 possible terrorist suspects living in the New York area. The authorities describe the act as "unindicted persons who may be alleged as co-conspirators and have handed their names to the judge in the terrorism conspiracy trial."

Among those on the list is the Sudan's missile to the United Nations, on complicated in a plan to limit the United Nations headquarters.

Meanwhile, Kuwait has provided new information on the mysterious manouevres masterminding the World Trade Centre bombing in 1993. Ramzi Ahmed al-Baz, Kuwait's Interior Minister, said Youssef, who was captured in Pakistan last week and flown to the United States to face charges, was a former Kuwaiti resident who helped Iraqi forces during the Gulf War. The Foreign Office in London says he studied at Swansea University.

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Teenage mother flogged in public

By Christopher Thomas

A BANGLADESHI girl of 17 has been given 110 lashes in public with a bamboo cane for allegedly having an illegitimate child. The incident is the latest in a rising trend of floggings by self-appointed Islamic courts that have no legal standing. However, the Government in Dhaka is wary of the power of the clergy and reluctant to intervene.

The village headman and *faiwabs* (mullahs who interpret religious matters) imposed the sentence on Lili Begum at Tembulpur village, in northern Bangladesh, according to *Ittefaq*, a Bengali daily newspaper. The daughter of a labourer, she became pregnant by a man who refused to marry her. The entire village turned out to watch the flogging.

She had married another man while pregnant but the mullahs forced her husband to divorce her.

Islamic clerics are becoming increasingly assertive in applying their interpretations of Sharia (Islamic law). Clerics wield their power in remote villages where most people are illiterate and there is little or no police activity.

Women's rights groups estimate that at least 48 women have died in recent years after being convicted of violating Sharia. Most committed suicide rather than face humiliation. "It is difficult to get a clear picture because many incidents occur in remote villages and the victims do not report to police for fear of reprisals," said Ayesha Khanam, a women's rights activist.

There is rising tension between fundamentalist clerics and voluntary agencies that promote literacy, healthcare and family planning in rural Bangladesh. Some foreign aid organisations run projects to provide women with employment, bringing them into conflict with clerical groups. Some fundamentalist mullahs are demanding the expulsion of all foreign aid workers.

About 1,400 schools for women were vandalised by fundamentalists last year, and women working for voluntary agencies were declared social outcasts. Husbands have been forced to divorce women who received money or healthcare from the agencies. Women's groups have staged protests against punishments which have been imposed by clerics in "kangaroo courts".

WORLD SUMMARY

Bhutto decries sentence

Islamabad: Benazir Bhutto, the Prime Minister of Pakistan, said she was "shocked and unhappy" about the death sentence imposed on a 14-year-old Christian boy for blaspheming Islam. The country's Christians, who staged a fast on Sunday, called for a second hunger strike a week today.

The Lahore High Court will today hear an appeal by the two Christians, officials said. Salamat Masih and his uncle, Rehmat Masih, 40, were sentenced to death for throwing paper containing blasphemous words into a mosque. At the time of the incident, Salamat was 11, and said to be illiterate. (AFP)

Anti-Islamic activist killed

Dhaka: Debashish Bhattacharya, an anti-Islamic student activist, was pulled from a bus and shot dead by unidentified assailants as more than 50 other passengers looked on in horror, Bangladesh police said.

The attack happened outside Rajshahi University, 120 miles northwest of Dhaka, a day after two Islamic student activists were killed on the campus during a gunfight with supporters of Begum Khalida Zia, the Prime Minister. No one had yet been arrested, the police said.

Ecuador agrees truce with Peru

Lima: Peru and Ecuador agreed a ceasefire in their 19-day border conflict but both claimed control of three disputed frontier posts in the Amazon. President Fujimori said that the Peruvian Government had declared a ceasefire due to take effect at noon yesterday and Ecuador later accepted it. Peru claimed to have taken Cueva de los Tayos, Base Sur and Tiwinza, but Ecuador said it had not lost any posts. (Reuters)

Claim sunk

Marseilles: The French Federation of Underwater Sport and Studies has refused to recognise that Guy Delage swam across the Atlantic, saying that currents and wind played a bigger part in his achievement. It took him 55 days to reach Barbados after setting out from the Cape Verde Islands. (AFP)

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Families of Islamic suicide bombers 'should be deported'

Sharon calls for terror purge

FROM CHRISTOPHER WALKER
IN TEL AVIV

ARIEL SHARON, the former Israeli Defence Minister and prominent member of the main right-wing Likud opposition party, yesterday outlined a draconian plan for dealing with Islamic terrorism, including the deportation of the families of Palestinian suicide bombers and helicopter assaults on the newly autonomous Gaza Strip.

"The families of these 'human bombs' should be brought from the Palestinian-controlled areas or those we control and deported to Lebanon or to Sudan, where there are Palestinians now training with Hamas [the Islamic Resistance Movement]," Mr Sharon said. "They could also be taken to other places where Hamas train. There are many possibilities. Let us start with the close families. I am sure that will bother them."

Mr Sharon, speaking as opinion polls showed a huge swing to the Right in advance of the general election next year, emphasised that Israel should immediately abandon the peace process, which even the Labour Government admits now has only 35 per cent public support, and launch an operation to "eliminate" leading members of groups such as Islamic Jihad and



Sharon: may have election deal with Likud leader

Hamas. He hinted that under Likud, Israel would take action abroad against leaders such as Fathi Shkaki, of Islamic Jihad, who gloated in interviews at his Syrian headquarters about last month's attack at Netanyu, in which 21 Jews were killed and 62 wounded. "The main target is not the boys," Mr Sharon said. "The problem is how to deal with those who convince them, those who preach to them, those who betray them."

In an angry 90-minute interview, Mr Sharon claimed that intelligence existed to show that Yassir Arafat, the head of the new Palestinian National Authority, had

"expressed joy" over reports that Jews were being killed in suicide attacks. Such operations have killed 50 Jews since October.

The burly reserve general, still regarded as a potential saviour by many blue-collar workers, outlined a security plan that is likely to cause unease among Western governments anxious to maintain the peace accord signed in Washington 17 months ago. He emphasised that the Israeli Government would have to seize back the right to "hot pursuit" in areas under Palestinian self-rule and to pre-emptive action, which he said had been surrendered by Yitzhak Rabin, the Labour Prime Minister.

"I am not going to give a lesson in anti-terror warfare," said Mr Sharon, 66, a consistent opponent of the peace deal. "But you can take it for granted that there is a possibility to bring this terror to an end, or to reduce it to such a degree that life could be normal again. We are paying the price for the past seven years, when the steps which should have been taken were ignored."

Mr Sharon said he was reconsidering his challenge to divide the Right, which he made last May when he declared his candidature for the post of Prime Minister, which will be elected directly for the first time next year. "It is too early to say whether I will be standing,"

he said, sparking speculation that he has done a deal with Benjamin Netanyahu, the Likud leader, which will grant him a top post in any right-wing administration. Mr Netanyahu is 22 years younger than Mr Sharon.

"Because of the weakness of the Government, the terrorists in Gaza have been allowed to feel victorious," Mr Sharon said, referring to recent television pictures that have shocked the Jewish public. "If the heads of Hamas are allowed to meet openly, dancing on the Israeli flag, armed and with the leaders preaching to kill more Jews, that is exactly the right moment that somebody should come there. They should be shown that things like that are not done."

Mr Sharon said there should be a larger Israeli security sweep in Gaza and Jericho, in which house-to-house searches for arms would be mounted and "wanted terrorists" taken back to Israel for trial. "Mr Arafat should be asked to join in. If he does not wish to, his forces should be confined to barracks while the operation is in progress."

Asked if he was concerned that such action would destroy the Israeli-PLO accord, Mr Sharon said: "This agreement is supposed to provide security, but if instead it brings bloodshed and many more casualties, who needs this peace?"



President Mandela watches as South Africa's most powerful court begins business. It is to debate the death penalty today

Mandela wins an apology from his wife

FROM MICHAEL HAMLYN
IN JOHANNESBURG

WINNIE MANDELA has sent a second letter to President Mandela, her estranged husband, containing a full apology for appearing to criticise his Government. Mr Mandela had rejected an earlier letter as inadequate.

Mrs Mandela, a deputy minister, said in her second letter: "I would like to apologise most sincerely for the impression the speech caused that I sought to condemn the Government. If such criticism ... were intended, I could not have excluded myself ..."

Mrs Mandela accused the Government of failing to redress the inequities of apartheid when she spoke last week at the Soweto funeral of a black police warrant officer shot by white colleagues.

The President's office, announcing that Mr Mandela had accepted the apology, said that he "views in a serious light any acts of commission or omission, on the part of government officials, which convey an image of disregard or disrespect for the policies and decisions of the Government. In accordance with the fundamental principle of Cabinet collective responsibility, should this happen, now and in the future, the President shall not hesitate to act firmly against any transgressors".

Bowing to her husband's anger, Mrs Mandela said in her letter that "I would also like to reaffirm my commitment to the concept and practice of collective responsibility ... and, on this basis, am prepared to serve the Government loyally ... I sincerely regret any embarrassment that the speech might have caused the President and the Government as a whole and therefore accept this censure which the delivery of the speech at the funeral occasioned."

Her first letter to the president merely said it had not been her intention to insult or embarrass President Mandela or the Government.

Although this second letter closes the argument over her speech, Mrs Mandela is still beset by controversy. The resignation of 11 executive members of the African National Congress Women's League in protest at her dictatorial attitude as president has still to be resolved. Other accusations of her using her ministerial position to advance the career of her daughter Zizzi as a concert promoter, or the questions surrounding the disappearance of 500,000 rands presented by Benazir Bhutto on behalf of the Pakistan Government at a Women's League function are also still outstanding.

Mr Mandela has long been forgiving of his wife's behaviour, but he has now drawn a line which all ministers in his government must be careful not to overstep.

Leading article, page 17

New court for life and death

BY MICHAEL HAMLYN

PRESIDENT MANDELA yesterday officially inaugurated South Africa's first constitutional court, the most powerful court in the land, able to overrule parliament or any court or official contravening the Bill of Fundamental Rights contained in the interim constitution.

With its opening, the country has taken a big step away from Westminster-style democracy to a state in which the constitution is the highest law. A new constitution is being written by the Constitutional Assembly in Cape Town, but it too may not contravene the more than 30 binding principles in the present version. The final constitution will be judged by the new court.

With a touch of drama, President Mandela recalled: "The last time I was in court was to hear whether I was going to be sentenced to death." Judge Arthur Chaskalson, the president of the new court, was a defence counsel for Mr Mandela and his co-defendants then at the so-called Rivonia trial in which they were all found guilty and jailed for life.

The court will begin its work today when it debates a claim that the death penalty is unconstitutional since the Bill of Fundamental Rights proclaims a right to life.

Mr Mandela, declaring that he spoke this time "on behalf of the people of South Africa", urged the 12 justices, two of them women, four of them black: "We expect you to be creative and independent, not another rubber stamp."

Unrest marks first anniversary of Hebron massacre

BY CHRISTOPHER WALKER

ONE Palestinian was shot dead and seven others wounded yesterday by Israeli troops during widespread unrest in the occupied West Bank to mark the first anniversary of the Islamic calendar of the massacre in the Hebron mosque of 29 Arabs by Baruch Goldstein, the Jewish settler.

A general strike was declared in Hebron and other Arab cities, and in violent scenes reminiscent of the intifada Palestinian youths rioted against the unusually heavy Israeli security presence. A red alert was also declared throughout Israel proper, including Tel Aviv and Jerusalem, in anticipation of more revenge attacks by Islamic suicide bombers.

Left-wing Israeli politicians expressed outrage at plans by supporters of Goldstein to hold a memorial service tomorrow at his grave in the Jewish settlement of Kiryat Arba overlooking Hebron. In the year since his death, it has become a place of national pilgrimage for members of the Israeli far right. Some visitors place their palms on Goldstein's headstone and others stop to light a candle. Chairs are on hand for the many worshippers, and prayers are said twice daily.

"People come to the grave seeking to be healed because they know he was a holy man

who gave up his life for others," said one visitor to the site yesterday. "He was simply a saint, really like an angel," said a woman. "When he was killed, it was a terrible loss to the Jewish people."

As posters advertising the service were stuck on walls in Hebron, Aharon Friedberg, a member of the elected council of the settlement which is home to 6,000 Jews, said: "There will be a gathering at his grave. We will chant psalms and hold a study session and a memorial. Friends and public officials will reminisce about Dr Baruch Goldstein — may his memory be blessed." Mr Friedberg said he was preparing a commemorative album about Goldstein, who was born in New York, focusing on his "good deeds" as a doctor.

Since the massacre, the Israeli Army has turned the city into a fortress and instituted new security measures at the Cave of the Patriarchs, built over the graves of Abraham, Jacob and Isaac, where the shooting took place on February 25 last year.

Awani Natche, a Hebron resident who lost two cousins in the massacre, said Arabs had been made to pay a heavy price for the atrocity. "I do not feel as though I am living in a land of peace, but in a huge jail."



HEART DISEASE

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Today's styles owe much to the legendary icons of yesteryear, whose quirky dress-sense set the pace of fashion

Trendsetters for a generation



Fashion
IAIN R. WEBB

As fashion goes retro in a big way — scouring the Thirties, Forties and Fifties for its inspiration — it seems timely to take a closer look at the stylish women who, during their lifetimes and beyond, have been as influential as any designer. This season in particular, designers are referring to yesteryear for their muses.

A new book, *The Power of Style*, looks at some of these celebrated style icons of the 20th century — the women who, by dressing in their own way, have seemingly set fashion's pace. These are the women who started trends, their chic idiosyncrasies copied by women the world over. Slim Keith, a Hollywood hostess and the wife of the film director Howard Hawks, dismissed the lavish get-ups of the movie stars she socialised with. Instead, Keith dressed in an unassuming, understated way, which has since become the backbone for American



MILICENT ROGERS

(above/right) Sweater, £269, Caroline Charles, 170 New Bond Street, W1. Bellgown skirt, £815, Belville Sassoon Loran Mullery, 18 Cufford Gardens, SW3. Rose-print skirt, £60, French Connection, 249 Regent Street, W1. Scarf, from £3.99, Tie Rack. Pearls, at neck and wrist, £28, brooch, £42, cuffs from £128, earrings, £198, Butler & Wilson, 189 Fulham Road, SW3.



fashion — her clean, uncomplicated look is still being reinterpreted by designers such as Ralph Lauren and Calvin Klein.

Equally elegant was Daisy Fellowes, a socialite who became the toast of Parisian society in the Thirties. She was drawn by Jean Cocteau and photographed by Cecil Beaton. She wore jewels with a swiftness, but went to great lengths to maintain a restrained elegance, having emeralds and rubies ground down to look like plastic beads.

Diametrically opposed to Keith and Fellowes is the eclectic wit of Millicent Rogers, the quintessential American heiress. Rogers was dressed by the leading couturiers — Schiaparelli, Mainbocher, Valentino and Charles James — but often altered their designs to suit her own whims. As she travelled the world she adopted the local costumes, wearing dirndls in Austria, Navajo jewellery in New Mexico. She mixed the looks with gay abandon.

Jacqueline Kennedy's taste for ensemble dressing (the little dress and jacket) has been copied everywhere, and is the mainstay for this summer's working wardrobe. Her almost carefree grace worked as well on a beach in St Tropez as it did at the grandest White House dinner. There are few women who can claim to have a style of sunglasses named after them, yet everyone knows what a pair of Jackie O sunglasses look like.

By doing little more than thinking beyond the boundaries of dress-codes and trends, they inadvertently set themselves up as arbiters of taste. Their often quirky sense of style has laid the foundations for fashion designers to plunder at whim ever since.

● *The Power of Style* is published by Aurum on February 20, price £18.95.



DAISY FELLOWES

(above/right) Dress, £372, Caroline Charles as above. Sandals, £135, Russell & Bromley. Boas, £19.50, silk flowers, John Lewis, branches nationwide. Cuffs, £138 each, Butler & Wilson. Photographs: MARTYN THOMPSON. Make-up: Micki Gardner. Hair: Gordon Pinder.



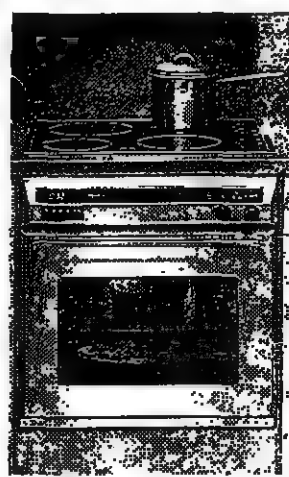
SLIM KEITH (above/top) Sweater, from a selection, Studio by Jean Muir, Jaeger, 200 Regent Street, W1. Skirt, £79, Jigsaw, 91-95 Fulham Road, SW3 (inquiries 0181-878 8443). Black suede belt, £36, Otto Glanz, Fenwicks, New Bond Street, W1. Harrods, Knightsbridge, SW1. Black strappy sandals, £189, Gina, 189 Sloane Street, SW1.



JACKIE O

(above/above left) Slip-over, £60, Caroline Charles, as above. Stretch Jeans, £145, Betty Jackson, 311 Brompton Road, SW3. Sunglasses, £89, Cutler & Gross, 16 Knightsbridge Green, SW1. Rucksack, from £169, Prada, Isletan, 59-60 Piccadilly, Sandals, £39.95, Carvela, Selfridges, Oxford Street, W1, and department stores nationwide.

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● JEWELLER Dinny Hall's pretty workings in silver and gold will soon be available at a fraction of the cost. Created for Selfridges, Oxford Street, London W1 and House of Fraser stores, the Dinny Hall Mark collection is based on her main line, which takes much of its inspiration from her travels in the east. It will include favourite classics, such as swirly dangling earrings and drop pendants. Available from the end of March, prices start from £15.

● LONDON'S Fashion Week is just three weeks away, and finance fever is running high. Graduates of the New Generation, which is funded by Marks & Spencer, are seeking sponsorship to support their collec-

tion presentations, while the Department of Trade and Industry last week pledged £50,000 to the week's events.

● HARVEY NICHOLS has added to its seasonal brochure with a magazine aimed at fashion/style-oriented men and women. It aims to inform shoppers of what's new in-store and events taking place. Crammed full of fresh spring/summer looks, fashion comment, designer profiles and new lines on the beauty, food and wine front, it has something for everyone. Available from Harvey Nichols, Knightsbridge, SW1, priced £2.

RACHEL COLLINS

Alan Coren



■ After all the hot air, a scheme to reduce the feelgood factor by 17½%

Strive as I might, and always do, to be as unconvoluted as possible, there really is no way of approaching this morning's topic without going via Benjamin Franklin. He is enmeshed in its every ravelled thread. His ghost perches on my shoulder as I tap, now pointing this way, now that. And though my prime commitment remains, of course, to you, there is no question but that, today, this one is also for him.

I have always loved old Ben. Who that has any relish for life's hilarious heterogeneity could fail to love a man who invented the glass harmonica, sought to identify the presence of electricity in lightning by standing in a thunderstorm with a kite, and hunched around in two pairs of spectacles, one on the bridge of his nose, one on the tip, until crying to hell with this, and inventing bifocals? It would be hard to think of anyone in whom dotiness and wisdom combined to more productive effect, and it is thus altogether fit and proper that he should be riding shotgun for me as I face down Her Majesty's Customs and Excise on the burning issue of hot-air ballooning.

Especially as it was he who made the two keynote remarks on the subject: the first in 1783, when, posted to Europe as his fledgling nation's plenipotentiary to negotiate the Treaty of Paris, he witnessed the Montgolfier brothers whizzing over that city in the first journey made by men hanging on to a big bag, and murmured: "Whether science has embarked upon a fresh source of human joy or of human folly, I dare not speculate," and the second six years later, in his letter to M. Leroy, when he wrote: "In this world, nothing is certain but death and taxes."

Which finally brings me, as readers registered for VAT may already have twigged, to the new edition of VAT Notes, that merry quarterly which keeps us abreast of all those swingeing innovations which give the lie to Treasury claims that taxes are not going up. As a publication, mind, it is a mixed curse. In that it does reveal all manner of wondrous items I would otherwise never have known existed, eg chiming non-ferrous ornamental putnamisms, or showerproof bridal accessories (except hand-wound rayon horseshoes), or all the millions of other arcane gew-gaws which have been truffled out by sniffer dogs trained to catch the whiff of anything not yet carrying 17.5%, and run panting with it to the Chancellor's feet in the hope of a pat and a chocolate button.

And look what they have found now! "From 1 April 1995, services relating to entertainment or recreational activities that include passenger transport will become wholly standard-rated. This includes 'fun' or historic rides, specialist train rides and other forms of transport within theme parks, and hot-air balloon rides." I particularly savour the inverted commas they have placed around "fun". Can we not see the meeting at Dracula House following the discovery of what they had hitherto been missing 17.5% off? "Fun, eh, we'll give 'em bloody fun!"

Was there ever a more horrible levying? Did any impost ever bespeak a flincher heart? Could any piece of legislation distance more irretrievably the feelgood factor its legislators are so desperately seeking?

I rang the VAT fùhrerbunker. Was there now VAT on dodgem cars? Yes. Ferris wheels? Of course. Big dippers? No question. Ghost trains? Definitely. "While public transport in its usual sense will continue to be zero-rated," I was told, "public transport where the purpose is entertainment will now carry VAT." I cannot say whether the italics are theirs or mine, but it does not matter. What matters is that this is not merely a levy on fun, it is a levy on the fun of those whose fun is likewise to be circumscribed by it, for the diversions thus hammered are unquestionably those of the nation's harder-up.

Is the Treasury so strapped for cash that hot-air balloon rides must be pressed into fiscal service? How much will they bring in, do you imagine? And much you ask, I have not turned to the ghost on my shoulder to ask him whether he has now, after two centuries, reached a conclusion as to whether balloons are a source of human joy or of human folly. I dare not. He is probably furious at me for having so incautiously mentioned glass harmonicas. They are just the sort of item the VAT people might up till now have missed.



SHOCK-JACQUES

Ban airborne terrorism

Dresden showed that bombing from the air is inhuman. We should not tolerate it

One good thing that might come out of the Dresden commemoration is the abolition of the bomb that destroyed it. We already have treaties banning the use of chemical and bacteriological weapons and of gas. We go to diplomatic lengths to restrict access to nuclear weapons. There is an international campaign to ban the anti-personnel mine, which continues to kill 150 people around the world each week. But the obnoxiousity of the free-fall bomb remains unchecked.

What those too young to remember have found most shocking about Dresden is that the intention was to kill civilians. There was no pretence about this. The word "terrorism" occurs again and again in the documentation, both before and after the event, not least in the notes by Churchill and the American commanders who actually authorised it, and were to create a firestorm. As in the ghastly phosphorus raids on other cities, the intention was to burn, suffocate and fry civilians.

For reasons that wholly elude me, bombs from the sky enjoy a moral protection not possessed by a soldier on the ground, despite the far greater danger experienced by the latter. If the Russian army had arrived at the gates of Dresden before Harris's bombers did their work, and had walked through the undefended city skewering babies, torching churches packed with cowering women, dynamiting hospitals and shooting anything that moved to a total of 25,000 human beings, we would have declared it a war crime. The images of American ground troops in Vietnam killing and torching villages moved a nation to disgust. In Cambodia, likewise, the world was appalled at the wholesale murders of the Khmer Rouge. A similar disgust is prompted by the atrocities of "ethnic cleansing" in the former Yugoslavia. "Our boys" would do no such thing.

Yes, the bomber is excused. He is protected by jargon: "take out", "de-house", "render inoperable". He does not kill civilians. A phenomenon known as "collateral damage" does that. The bomber is the most costly and inaccurate weapon known to warfare. Despite promising to avoid civilian deaths in Baghdad, the allied bombers in the Gulf War killed hundreds simply by missing their targets. The war was won by soldiers in the desert, not by bombers over the streets of Baghdad. Bomb damage,

as Speer showed, can quickly be repaired. Bombs win no territory. They are pure terrorism, and depend on the readiness of the bombed to be terrorised. Rarely do they oblige.

Yet from Bomber Harris, through the computerised sorties over Vietnam to Iraq, Bosnia and now Chechnya, the message from the air force has always been the same: the bomber can win the war. He can "take the enemy back to the stone age". February 14 is the anniversary not only of Dresden, but of the 1942 Air Staff directive that made Dresden possible. It focused bombing not on military targets, but "on the morale of the enemy civilian population". This was, as John Keegan says in his *History of Warfare*, "a revolutionary development in war-making, and a few brave individuals rightly denounced it as a moral regression". But it gave air forces what they most wanted: a war role distinct from that of mere support for the other two services.

Harris believed, as America's General Curtis Le May did later, that bombers could win wars single-handedly, without any soldier on the ground. A depopulated wasteland must sue for peace. Harris's obsession with killing civilians emerges from his writings as maniacal. He disregarded the pleas of Allied commanders for bombing of the retreating German supply lines. He left oil deposits untouched, and as a result permitted the German Ardennes offensive. Speer, in his memoirs, was incredulous at this waste of bomber resources. History shows that Harris's insubordination prolonged rather than shortened the war. He was out of control. He was, as Churchill sensed, a fanatic.

An entire theory of conflict — that aerial bombardment of civilians can alter political decisions by war commanders — was put to the test in the cause of inter-service rivalry. No attempt was made to prove its validity. The British, after all, boasted the opposite of what Harris believed. They said the Blitz stiffened resistance to Hitler. The flattening

of 60 per cent of Japanese cities by the American Air Force did not induce the Japanese Emperor to surrender (though I admit the atom bomb may be an exception to my rule). The devastation of German cities did not produce an uprising against Hitler or noticeably affect the morale of his fighting troops on the ground. They fought, and were equipped, to the end.

Yet the 1942 directive retains its potency. The air force "must be given a role", other than merely as logistical support. They bombed Hanoi and the Vietnam supply trains. They bombed Gaddafi. At vast expense, the British sent RAF Vulcans to bomb the Falklands airfields, although they knew that any bombs lucky enough to fall on the runway would leave craters that could be repaired overnight. When the Americans declared hostilities against Iraq, the head of the USAF,

Michael Dugan, let it be known that "US military air power, including massive bombing campaigns against Baghdad that specifically targets Saddam Hussein, is the only effective option to force Iraqi forces from Kuwait". It was a rerun of Harris's 1942 directive, and just as daft. At least Dugan was sacked. But his bombing policy was pursued — and left Saddam in power.

When the Russians went into Grozny before Christmas, I wondered how long the commanders would keep long. In they went, dropping free-fall ball-bearing bombs across the city centre. Since soldiers tend to be in well-protected bunkers, the chief casualties from such attacks were bound to be civilian. Children riddled with steel balls poured into hospitals. Had Russian soldiers shot these children by hand, the world would have reacted with total outrage. But the bomber's trade union gives him a licence. He is shooting from the distance of his plane. He cannot be

held responsible for what he kills.

The nadir of the bombing fixation has been Bosnia. Any violation of any ceasefire produces a spasmodic tick in Washington: "Bomb them." Nobody cares whom. The bomber has a symbiotic relationship with the politician. He is the emblem of power projection: a plane roaring from an aircraft carrier, a plume of smoke, a thumbs-up on return. Neither pilot nor politician need see the mangled bodies. The power is in the afterburner and the bang. I am sure General Rose joined a long and noble list of ground commanders who found himself saying each night, God preserve me on the morrow from the air force.

I suppose it will be thus as long as war is a contest first between three services and only then with the enemy. To any layman, the air force should be part of a ground forces command structure. Limited wars are about the control of territory. Activity demands tactical precision, which except in the most limited theatres bombers cannot give. The advent of (reasonably) smart weapons is anyway rendering the manned bomber obsolete. The trouble is that the RAF has 150 officers of the rank of air commodore and above and 400 group captains for just 40 combat groups. Small wonder they spend their time decorating Gloucestershire mansions (though it is outrageous they should be summarily sacked for doing so).

All I would suggest is that air forces be expected to adhere to the same standards of humane warfare as the other services. Britain is tardy about any international agreement on inhuman weapons. I am sceptical of the value of most UN conventions, but cannot see why Britain should refuse to sign the 1933 Convention banning weapons aimed primarily at civilians. The Americans, French and Dutch have banned the export of delayed-action anti-personnel landmines in response to the horrific evidence of the casualties these weapons inflict. Apparently British arms manufacturers would indeed like to make these weapons and export them, and ministers dare not appear squeamish. I would put napalm, phosphorus, ball-bearing and splinter bombs in the same category. These are not rifles, they are blunderbusses. They do not win wars. They are mere airborne terrorism. They kill people in the most agonising way imaginable. No civilised air force should be equipped with them. They are the unacceptable legacy of Dresden.

Simon Jenkins

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Classless Eton?

A RICH tradition of ruling gentry has come to an end. The Eton College magazine, *The Chronicle*, states unequivocally that there are unlikely to be any more Etonian Prime Ministers.

The school founded by Henry VI has produced more Prime Ministers than any other. Nineteen of the country's leaders spent their formative years at the establishment. The last Prime Minister was Alec Douglas-Home and the most recent contender was Douglas Hurd, who fought for the Tory leadership in 1990.

But this term's *Chronicle* suggests that John Major's classless society is taking root. The magazine's editor, Matthew Wilson, in an article headed *Mundus Contra Etonienses* (The World Against Etonians), claims that Hurd was "a beneficiary of the class system", "felt obliged effectively to apologise for having been at Eton".

"Can there ever be another Etonian Prime Minister?" he writes. "If public opinion continues to see Eton, beyond all other public schools, as a system of elitism and social injustice, no politician will dare to present the

electorate with an Etonian as a potential Prime Minister. So much for those who insist that an Etonian education is an untold advantage in life."

Lord Charteris, former Provost of Eton, suggests the Etonian Prime Minister will rise again. "I absolutely don't agree. I'm in favour of elitism but the elite must accept their responsibilities."

Jonathan Dimbleby's biography of the Prince of Wales has ended up in literary limbo land. A

copy spotted in a Sevenoaks bookshop was in the "soiled bargain" basket, marked from the princely sum of £20 to £7.99.

Stage fright

TECHNICAL hiccups have hit Cameron Mackintosh's production of *Miss Saigon* in America. A helicopter built to land on stage in the Seattle production, which opens this spring, crashed on its first flight.

All productions feature a helicopter, but the Seattle version was still being tested in Los Angeles the other day when a hydraulic ram failed. "It went straight down," says a spokesman. "It was a write-off, a hell of a mess, but fortunately no one was hurt." Technicians are working round the clock to reconstruct the helicopter but *Miss Saigon* is not the only show affected. "It landed plum on the stage set for *Beauty and the Beast*. That was damaged as well, unfortunately."

Danger aria

THEY are falling like flies at the Royal Opera House in London, where an uncommonly virulent flu bug is doing the rounds. It was only the other night that, just before curtain up, the Swedish mezzo

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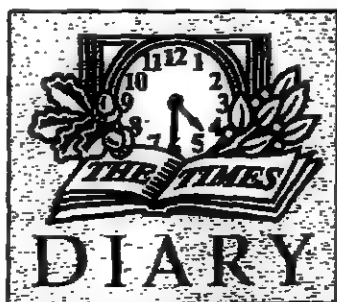
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soprano Anne Sofie von Otter cried off from *Der Rosenkavalier* because of a cold.

On Monday night, the opera house hit the panic button again. It was the turn of their star Romanian soprano, Angela Gheorghiu, to fall ill moments before she was due to play *Mimi* in *La Bohème*. "Deborah Riedel, who has played the role here before, happened to be in town by chance. We found her and she stepped into the breach," says a spokeswoman. "But flu is raging here."

Fond farewell

THE REMOVAL vans trundled up to the doors of Barnwell Manor yesterday as the Duke and Duchess of Gloucester and Princess Alice finally decamped from their Northamptonshire estate. There had been not a dry eye in sight on

Monday when, after 50 years from, Princess Alice bade her farewells.

The move was announced last month after the Gloucesters decided that Barnwell was too expensive to keep up. Princess Alice, 93, has gone to stay with friends in Scotland to avoid the upheaval of the move to Kensington Palace. She threw a drinks party last Friday for about 30 locals. "It was a very nice way of saying goodbye," says one. "We were all sad to see her go. I'm sure she was too, but she doesn't show it like the younger ones do."

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Tanya Bryer: hardly a crumb

in Madrid. *Hello!* chartered a plane of its own for the royal snaps — and the magazine hit the streets on schedule.

West End actresses turned out late on Monday night at P.J.'s restaurant in Covent Garden to model jewellery for an AIDS charity. Waiting to interview them was the BBC's Tanya Bryer, who paid heavily for her interest. "I asked if they were hungry after their shows, and offered them some of my food," she explained. "Yes," they replied — and wolfed the lot.

P.H.S

Your disobedient servants

Charles Wardle on how Whitehall undermines immigration policy

I am encouraged to learn that the passive verb to be Wardled has entered the Home Office lexicon. Civil servants need to get to the nub of a problem and less concerned with arcane ways than with effective action, and results. The Civil Service is full of Rolls-Royce minds, but despite market testing, agency status, privatisation and the civil service White Paper, all the initiatives to modernise the processes of Whitehall seem to have bypassed the real echelons of the Home Office. The great adventure there is policy, with precious little regard for the practical results that the public expect.

Although the Home Office is responsible for spending more than £6,000 million a year of taxpayers' money the gulf between its operating methods and those of the private sector is vast. The integrity, loyalty and commitment of most officials is beyond question, but few have any management qualifications or experience. Hardly any of them have ever been responsible for next month's payroll.

Any experienced executive who turns to politics and becomes a minister would quickly see what I mean. When an MP complained that a company in her constituency had not been given a chance to quote for a Home Office order, I delved. The executive officer who approved the purchase had a personal discretionary spending limit of £10,000 but the single order was for £289,760. There had been no other tenders, because apparently the executive officer had decided he knew what he wanted.

Take, for example, the celebrated research report on refugees. Officials at the Immigration and nationality department had challenged Home Office researchers before the report came to my attention, claiming it was flawed by a fundamental confusion between Geneva Convention refugees and others with what is known in Home Office jargon as "exceptional leave" to remain in the UK. I asked about the methodology. A leaflet had been distributed to a list of refugee and immigration organisations indicating that a combined team of researchers from the Home Office and a university was carrying out the study.

In fact, in the research sample of 269 respondents, the main researchers had completed just 60 of the interviews themselves. The other 209 were subcontracted to foreign-language interviewers, on whom no records of qualifications had been kept. There was no available evidence of the format of their half-day training programme at the Home Office. And after sitting in on the first of their interviews, the main researchers left them to do the rest on their own. These foreign language interviewers had been recruited from the very list of immigration organisations that had supplied the respondents.

Potential respondents had been told that information they provided would be confidential. But it came as a surprise to me that all the questionnaires had been destroyed before the report was submitted to ministers. One result of this was that there was no firm evidence of the geographical spread of the research, and nothing to verify that the respondents were refugees at all. Nor was there any evidence that might dispel the sceptical view that groups on the list of immigration organisations had simply fielded respondents and foreign-language interviewers to supply predetermined answers.

While immigration officials applauded my inquiries, the reaction of Home Office researchers to the impermissibility of such an intrusive minister was predictably hostile. Meanwhile the taxpayer footed the bill of over £50,000.

Concerned that the junior officials in my private office had to struggle to work during an Underground strike, I explored the Home Office car park to find spaces so they might drive to Queen Anne's Gate. Senior civil servants' cars filled the first floor, but the second floor — with parking spaces of an aggregate commercial value of at least £250,000 a year — was filled with thousands of new chairs, desks and cabinets, purchased and dumped there, some for more than a year.

The approach to expenditure budgets, management planning and control and training still lags behind modern management. It is hardly surprising either that the prison service agency and the criminal justice division have experienced grave difficulties in putting policies into practice. But worse management problems lie ahead if the European Commission ever prevails with its frontier controls. If the commission were successful, there would need to be a massive redeployment of immigration officers from ports of entry to internal enforcement duties. This would mean greater police involvement, as on the Continent. Coming so soon after the travails of the Police Bill and the review of core police functions, this would need the most careful management planning — or are we to assume that the problems will never arise?

It is management's job to plan ahead. The best safeguard for our frontiers is to make very sure at next year's inter-governmental conference that we have a solid opt-out from Article 7A of the Treaty of Rome.

The author resigned this week as Under-Secretary for Industry and Energy.

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THE OTHER MANDELA

'The Mother of the Nation' has no place in government

That Winnie Mandela continues to find a place in South Africa's Government of national unity is as striking as the series of misdemeanours and crime of which she is the unrepentant author. After a week of turbulent recrimination, during which — for the first time — she felt the formal wrath of her estranged husband, Mrs M. Mandela apologised to the President for having said that his Government was "pandering to the whites". Yet the "Mother of the Nation" — as she is still referred to in radical circles of the African National Congress (ANC) — was scarcely a model of contrition.

The apology was squeezed from her in grudging instalments by Thabo Mbeki, the First Deputy President, who is thought to have made it clear that Mrs Mandela would have to resign if she failed to offer the President an appropriate form of words. Mr Mandela was right, of course, to demand an apology. Not only was Mrs Mandela's talk of "pandering" inflammatory, it was also in breach of every rule of Cabinet propriety. She is, after all, Deputy Minister for Arts, Culture, Science and Technology in the very Government which was the butt of her indefensible criticism. Mr Mandela was wrong, however, in treating the matter as open to resolution by mere apology. The President should have dismissed her from his Cabinet immediately.

Mrs Mandela's appointment to the Government of national unity in May last year was greeted with dread by many in South Africa and abroad. Not only did she have a criminal record — she was convicted of assault and kidnapping in the ignoble case of 14-year-old Stompie Seake — but she was also a strident champion of the politics

of racial confrontation. Mrs Mandela, it was apparent to many, personified the political culture from which the new South Africa was striving to unbind itself.

His estranged wife forced on Mr Mandela a delicate political and personal balancing act for which he had little enthusiasm. As a strategic concession to ANC radicals, thought to have been the idea of Mr Mbeki, Mrs Mandela was inducted into government in a junior post under an Inkatha minister. It was calculated that her voice — as well as that of the militant cohorts — would be better constrained, and rendered more emollient, within the political system.

Events have shown that such calculations were mistaken. Mrs Mandela's ill-conceived diatribe against the Government is not the only matter on which she has given the President cause for her dismissal. Her autocratic style — so destructive in the days when she ran Soweto in the manner of a fiefdom — has provoked a rash of resignations from the ANC Women's League, of which she is President. Those who have resigned include Adelaide Tambo, widow of the late Oliver Tambo, and Nkosazana Zuma, the Health Minister.

After the Boesak affair, Mr Mandela will find it increasingly difficult to ignore the evidence against Mrs Mandela — which mounts by the day — of financial impropriety, abuse of power and nepotism. By sacking her from his Cabinet, he would be likely to anger party radicals. He would be less likely, however, to provoke open insurrection. Mr Mandela's strategists may still counsel him to retain his errand wife: he must overrule them. Political strategy has here become the foe of political wisdom.

RESPONSIBLE DOCTRINES

Every crime is the result of a moral decision to commit it

Today's report by the Employment Policy Institute on the alleged links between crime and unemployment revives a familiar argument in the law and order debate. Dr John Wells, a Cambridge University economist, claims that crime levels can be linked to the state of the labour market. Though he distances himself from the perilous argument that unemployment justifies crime, Dr Wells suggests that indifference to the plight of the jobless "can provide a solvent to the normal moral constraints on crime".

The Home Office would disagree with his central claim. Its latest report on the subject, published in December, concluded that there was no "consistent significant correlation between unemployment and recorded crime". The methodological arguments about which statistics should be used, and how, will probably never be resolved to the satisfaction of all. The debate on this alleged correlation will continue to rage. The more interesting question is what the debate itself says about the Western view of morality.

In the last century and a half, a series of intellectual movements have eroded the Judeo-Christian assumption that the individual is morally responsible for his actions. Darwinism made man the product of evolution and animal impulse; Freudianism made him the helpless puppet of suppressed sexual feelings; and Marxism made him the victim of social and economic forces. The behaviourist school of psychologists, led by B. F. Skinner, has argued that individual actions are determined by context and the countless stimuli to which human beings are subject.

The core belief that individuals must be held accountable for what they do wrong has survived this philosophical onslaught. But it

has become intellectually respectable — as well as politically correct — to say that external factors play a very considerable part in explaining anti-social or evil behaviour. The perverse effect has been to turn wrongdoers into apparent victims. Hence, for example, Colin Ferguson, who shot 25 people on a New York train in 1993, was said to be expressing "black rage". This week, a group of scientists will meet in London to discuss the increasingly popular argument that criminal behaviour has genetic roots. Too often it is argued that criminals are prey to impulses over which they have no control or are subject to forms of oppression which compel them to break the law.

Such arguments are meant to defend the powerless. In fact, their effect is the opposite. The vast majority of black people, for instance, would be horrified by the idea that their ethnicity predisposes them to murder, violence, or excuses it. To claim that one social group is more likely than another to commit crime or act immorally is a grotesque form of condemnation, perhaps the most sweeping stigma a society can apply.

It may be true that a desperately poor man is more likely to steal than a millionaire. But it is quite different to suggest that crime is predetermined and that the link between material adversity and criminality is a causal one. To allege such a link is enormously insulting to unemployed people who lead respectable lives in difficult circumstances. It also confuses the pressures to which people are subject with their moral response to such pressures. Poverty and disaffection may tempt individuals to commit crimes. But it is they themselves who yield to such temptations. The true causes of crime are criminals.

YOU MADE IT, OSCAR, YOU DID

If you want his memorial, listen to the laughter and tears

The prince of paradox was needed in person to describe the unveiling of his memorial window in Westminster Abbey yesterday. That master of the epigram with a corkscrew for its tail left apt inscriptions for his extraordinary career, for instance, "When people agree with me I always feel that I must be wrong." Or, "The truth is never pure and rarely simple." Wisely, the Dean decided to restrict the inscription to the plain names and dates of Oscar Wilde. Oscar's cumulative two-liners and inverted clichés already fill the quotation dictionaries and are continually recycled by lesser wits. They and his high camp aesthetic line are still imitated and have become immortal without having to be inscribed on Abbey glass.

But only Oscar's friendly irony could have adequately celebrated his admission to Poets' Corner a century to the day after the opening of both his wildest play and his fatal libel feud with Lord Queensberry. Oscar might have had something to remark about his nearest ghostly neighbours in the Abbey, Tennyson, Queen Victoria's favourite laureate, and Browning, the cerebral poet of heterosexual love and passion. He would surely have been amused by the Home Office logic that he cannot be posthumously pardoned because the crime of which he was convicted is no longer illegal.

The Irish outsider who was hounded to disgrace, prison, exile and an early grave by the hypocritical society he loved to tease might have been gratified by his rehabilitation in the heart of the Anglican Establishment. He would have enjoyed the eclecticism of the special interest groups riding his bandwagon, from Irish nationalists to gay rights militants and the entire acting

profession. Even the Marquess of Queensberry, descendant of the prize-fighters' legislator who started Oscar's ruin with an ill-spelt note accusing him of "posing as a Sodomite", has joined the Wilde society.

Artists need neither rehabilitation by Poets' Corner nor pardon by the Home Secretary. They live in their work. Of all people, Oscar was a self-conscious artist first and a fallible and imprudent mortal second. Continental Europeans have long recognised him as a great writer unappreciated by his countrymen, like Byron, for his wit, his un-British dedication to his art and his unconventional private life. The British came round to him because he made them laugh. Another Wildean paradox is that *The Importance of Being Earnest*, the most brilliant comedy in English, has become the most popular of all plays for the respectable bourgeoisie he loved to shock.

Now he is beyond the reach of all scandal. Oscar is a modern man more than a Victorian. His fur coat, green carnation and boast to the customs officer that he had only his genius to declare are in line with modern celebrity self-promotion. Oscar might have worn an ear-ring. His contemporaries persecuted him for degeneracy and weakness. But modern biographers recognise him as a brave man who protested against the vulgarity of his age, and was himself punished by moral vulgarity. Oscar said he was dying beyond his means. He lives on beyond the means or need of posthumous rehabilitation. A final paradox is that his audiences forgave Oscar for his genius long before Poets' Corner caught up with them. Oscar's sins were painted scarlet, but his jokes are still read.

CO's support for jailed guardsmen

From Lieutenant-Colonel T. S. Spicer (ret'd)

Sir, As the former Commanding Officer of the 1st Battalion Scots Guards, and therefore the commanding officer at the time of the incident in Belfast for which Guardsmen James Fisher and Mark Wright have just been convicted of murder (report, February 11), I am writing to make the following points:

Throughout the battalion's tour in Belfast we had been subjected to numerous attacks covering the full spectrum of terrorist operations — shootings, including the fatal shooting of one soldier, bombings and rocket attacks.

By far the most prevalent form of attack, and the most difficult to counter, was the Mark 15 grenade. This is a domestic coffee jar filled with Semtex and shrapnel. It is lethal and easy to conceal, and it is very difficult to prevent or capture the thrower.

By the date in question, September 4, 1992, there had been at least 20 of these attacks. That morning there was intelligence to suggest that the threat from "coffee jars" was higher than normal and that some of these devices were known to be in the New Lodge area.

This information was passed to troops deploying on a search operation. Fisher and Wright were part of this operation. Thus an attack on a patrol resulting in death or injury to soldiers or innocent bystanders was an ever-present danger. This information was made clear during the trial.

I am completely satisfied that neither of these young soldiers had anything other than the firmly held and honest belief, stated throughout their trial, that they were involved in a terrorist incident and therefore acted entirely in good faith, in accordance with the law, the rules of engagement and their military training, and that opening fire after several challenges was the correct course of action.

Knowing these two soldiers extremely well, and having interviewed them shortly after the incident and subsequently on numerous occasions, I have never doubted their story or believed it to be a fabrication designed to cover up a deliberate and premeditated murder. Their version of events has not changed during the two years it took this case to come to trial.

Of course, one could easily pick holes in their stories, but in my view there was enough consistency between the version of events as seen by the prosecution witnesses and that of the defence to provide the element of doubt required to acquit them of murder. In my view any suggestion that this was a deliberate murder, followed by a concerted story to cover up, is difficult to accept.

Whilst it is very sad that in this instance it appears that an innocent young man was killed by mistake, such incidents develop extremely quickly and the decision to shoot or not must be made by young soldiers in a split second. It is a tribute to the training and professionalism of the British Army that more incidents of this type have not occurred during the lengthy deployment of troops in Northern Ireland.

I applaud Lord Justice Kelly's request, in his judgment, for a review of the powers of sentencing available to judges in all murder cases. For a country to require its soldiers to be the most professional in the world (which they are), to deploy them fully armed on the streets of a hostile and dangerous city in the United Kingdom and then, when they use their training and judgment in good faith, leave them at the mercy of a legal system which does not provide for anything other than a mandatory life sentence on conviction is disgraceful.

Yours truly,
T. S. SPICER,
Cavalry and Guards Club,
127 Piccadilly, W1.

Treats in store

From Mrs Ronna Saunders

Sir, One must assume that Mr Steve Ward who suggests (letter, February 7) that the use of the term "store" for "shop" and "lines" for "queues" is a symptom of galloping Americanisation, is one of your younger readers.

Just over sixty years ago, this town had at least ten businesses defining themselves as "stores", including several nationally known ones, such as the Home and Colonial, Woolworth's and World's Stores. Every community worth its salt had its own village or general stores, and even in those days, we used to go "up to Town" to shop at the big departmental stores.

Having referred to our local street directory for 1933, I note that, as well as the more common tradesmen, such as grocers, butchers and bootmakers, there were bookbinders, staymakers, chair-caners, engravers and two art embroiderers who made vestments. These people carried on their crafts in workshops on their own premises, whereas those who kept stores sold the products of other hands. Perhaps that is where the difference lies, not across the Atlantic.

Yours faithfully,
RONNA SAUNDERS,
6 Ayvill Street,
Ryde, Isle of Wight,
February 7.

Letters to the Editor should carry a daytime telephone number. They may be sent to a fax number — 0171-782 5046.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9KN Telephone 0171-782 5000

Song and dance over the Coliseum

From Mr Dennis Stevenson and others

Sir, As the team responsible for the report on lyric theatre in London we write in response to Melvyn Bragg's splendid article, "Stop sniping at the Coliseum" (February 10). Mr Bragg seems to have chosen to misinterpret its arguments and ignore most of its research. There is, however, one important matter with which we must take issue immediately.

The Arts Council invited us as independent individuals to consider the provision of opera and dance in London and its possible future (including the proposed simultaneous closure of both major opera houses for refurbishment). At the outset we asked ourselves whether there were any hidden agendas at work and we can categorically state that there were none — on the Coliseum or any other institution. It is therefore false, insulting, and potentially damaging for Mr Bragg to hint that we were set up to undervalue and diminish English National Opera.

A careful reading of the report should have demonstrated to Mr Bragg that far from sniping at the Coliseum it broadly supports ENO's proposed developments in opera and dance. We admire and support the achievement of Dennis Marks, general director of the company, and acknowledge in the report that ENO's audience increased in 1994-95. Articles such as Mr Bragg's are potentially far more damaging to ENO's interests than anything we have said.

Yours sincerely,
DENNIS STEVENSON
Chairman of the review team,
GRAHAM DEVLIN
(Director, Major Road Theatre Co.),
GENISTA MCINTOSH
(Executive Director,
Royal National Theatre),
STEPHEN PHILLIPS
(Series editor, Meridian TV's *The Pier*),
78-80 St John Street, EC1.

From the Secretary-General of the Arts Council of England

Sir, Melvyn Bragg makes a helpful contribution to the public consultation process about the provision of opera and dance in London. However, he has in some respects apparently been misinformed. For example, the report was commissioned by the Arts Council in July and completed in January, so in no sense was the process hurried.

Coronary recovery

From Sheriff C. W. Palmer

Sir, I read with interest your article about Sir Peter Imbert's heart attack and his excellent recovery (Body and Mind, February 7). Having been through the same myself I agree with him that attitude, diet and exercise are the key to success.

I am 49 years of age, Sheriff of Tayside Central and Fife based at Dundee Sheriff Court. In 1991, while listening to the Bishop of Edinburgh preaching at Fettes College, I suffered a major heart attack. I was taken to the Western General Hospital 250 yards away and pumped full of Streptokinase and TPA (both clot-busting drugs).

Twelve months later I keeled over again while on the Bench at Dundee Sheriff Court. I was driven by my wife with a police escort 120 miles to hospital in Edinburgh. Three months later I underwent a triple bypass operation. Within 12 weeks I was walking in the French Alps and riding with the Buccleuch hunt.

This May, I will cycle from Land's End to John O'Groats to raise money for the British Heart Foundation. I suspect that I may be the first heart attack victim/coronary bypass patient to do so.

NHS appointments

From the Minister for Health

Sir, You report (February 9) that "a senior member of an NHS trust" has submitted written evidence to the Nolan Committee on Standards in Public Life, claiming that the NHS appointments procedure is "highly idiosyncratic" and that "subjective judgment, personal whim and political patronage all play a part". What nonsense!

All NHS board members, executive and non-executive, are bound by our extremely rigorous code of conduct and code of accountability, issued in April 1994, and compliance with these codes is a condition of their appointment. We are confident that NHS boards benefit from the wide range of skills and experience non-executives have to offer.

However, we are rightly anxious to ensure that the system is as effective as it can be, and Mrs Bottomley has

To the point

From Mrs Ruth Messina

Sir, "Gone missing" suggests an optimistic coming back, which is more to the point (Professor Lawrence's letter, February 14) than the false economy of the word "disappeared": that suggests a pessimistic gone for ever. Unless this is what you want — and then it is, surely, more economical to be "lost".

Yours faithfully,
RUTH MESSINA,
20 Cairn Avenue, Ealing, W5,
February 14.

It is based on careful and detailed research covering audience data from 1971 to 1994, not merely two surveys in 1991 and 1993. The projected figure for ENO's audiences for 1996-97, given as 75 per cent of capacity, was confirmed by the ENO management only a few weeks before the report's publication, as was the number of future performances. Reports of this kind can only use the data to which they have access.

Mr Bragg asserts that the report does not "take on board the challenge of creating a dance theatre for London". The question of a dance house is discussed fully, drawing on a recently completed study by Crispin Raymond, commissioned by Dance UK. Mr Raymond recommends the creation of a dance house network rather than a dedicated space, a view supported by the report. It tackles in some detail how such a network might be established and identifies a central role for ENO in presenting large-scale dances.

It is important that the Arts Council addresses issues relating to future arts provision as openly and transparently as possible. The views expressed in the report are not Arts Council policy, and the council will not respond to any of the report's recommendations until it has heard the views of all those being consulted.

Yours faithfully,
MARY ALLEN,
Secretary-General,
The Arts Council of England,
14 Great Peter Street, SW1,
February 10.

From Lady Boston of Faversham

Sir, If the consequences for English National Opera envisaged by Mr Melvyn Bragg were realised they would be vandalism of monumental proportions. The Coliseum's opera company is complementary to and in productive competition with the Royal Opera. If there is tension it is creative tension. Comparisons are invidious and irrelevant.

Like the Royal Opera, the ENO is a major national asset. So is its counterpart, Opera North. The Coliseum deserves maximum support. All who value our country's international standing in the arts should do everything possible to ensure that it gets it.

Yours sincerely,
MARGARET BOSTON,
27 Capstan Square, Isle of Dogs, E14,
February 11.

In the Far East coronary heart disease is virtually unheard of. We could achieve the same here, where our record is appalling. The key is research and the British Heart Foundation funds more cardiac research than anybody else.

Yours faithfully,
C. W. PALMER,
Sheriff's Chambers,
Sheriff Court House,
1/6 Carnegie Drive, Dunfermline.

From Professor Anthony Field

Sir, We growing number of older people are interested in Sir Peter Imbert's account of recovering from a heart attack. The problem with exercise is its utter boredom.

Whilst "two miles on a walking machine at home at least twice a week" or riding an exercise bike can be done whilst listening to a radio or CD, watching television or even reading a book to occupy the mind, there is still the problem of such exercise not doing anything positive for others.

It would be wonderful if such exercise machines could be linked to pumping hot water to old people's homes or heating a hospital.

Yours truly,
ANTHONY FIELD,
152 Cromwell Tower, Barbican, EC2,
February 9.

today announced that we will be making improvements to the system during 1995. Your readers will see more open advertisements for vacancies on NHS boards and this should ensure that we reach an even wider pool of potential customers. Everyone will be eligible to apply.

The criteria against which applicants will be assessed will be publicly available and standard throughout the country. Panels of serving chairmen and non-executives, working to agreed criteria, will recommend to Ministers those candidates who they feel could most capably serve on NHS boards. As Ministers are directly accountable to Parliament for the NHS, the final choice of board members will, as now, remain with them.

Yours etc,
GERALD MALONE,
Department of Health,
Richmond House, 79 Whitehall, SW1,
February 14.

Vox pop

From Mr N. L. Denton

Sir, Of course, the verb "to pop" can mean "to pawn" (as in the nursery rhyme, "Pop goes the weasel"). The fact that it is frequently used within hospitals (letters, February 8, 11) perhaps says something about the current state of the National Health Service.

Yours faithfully,
NIGEL L. DENTON,
12 Maria Court, Southcote Road,
Reading, Berkshire.

Bird's-eye view of Europe

From Mr Norman Lamont,
MP for Kingston upon Thames
(Conservative)

Sir, I was most interested to see Sir John Weston's letter (February 11) about the ring-necked parakeet (*Psittacula krameri*). I think more commonly known as the rose-ringed parakeet.

Like Sir John I was recently in Richmond Park (but unlike Sir John not running), when I saw a formation of long-tailed birds above me. I too noticed the uncanny resemblance to a squadron of Tornado aircraft. They were obviously not magpies. Since we were so far from the sea they were not long-tailed ducks or long-tailed skuas.

By a process of elimination I came to the same conclusion as Sir John, that they must be parakeets. This preliminary judgment was confirmed when I was recently in Delhi and saw many flocks of these wonderful birds. I think Sir John, however, is mistaken in calling the rose-ringed parakeet "a good European". Not only is the rose-ringed parakeet found all over India; it is also found in Africa, South America, the West Indies and parts of California.

Clearly the rose-ringed parakeet does not take a narrow insular European view but looks to the world.

Yours faithfully,
NORMAN LAMONT,
House of Commons,
February 14.

Church squabble

From the Archdeacon of York

Sir, My forthcoming book, *Affairs of State*, may be "slight and superficial" as the Archbishop of Canterbury suggests (report, February 13), but he has misrepresented its theme. Far from being no more than an attack on the morals of the Prince of Wales or even primarily on the leadership of the House of Bishops, it is an examination of the anxieties which many ordinary people feel at the decline of standards in our society — and of course, in the process, at the leadership we receive at all levels.

There is a malaise in our nation, and if an archdeacon suggests that a return to spiritual values and a biblical morality might offer a new beginning, he might surely expect the support of the Archbishop of Canterbury in this. Instead, Dr Carey (or maybe those who advise him) homes in on one small aspect of the book, once again deflecting serious debate by the resort to unnecessary abuse.

Yours faithfully,
GEORGE AUSTIN,
7 Lang Road, Bishopthorpe, York,
February 13.

Lottery odds

From Mr Bryan Clough

Sir, The odds against winning a jackpot on the National Lottery are 13,983,816 to one (0.0000072 per cent). These are reduced to 107,568 to one (0.0072 per cent) if 130 tickets with different numbers are acquired.

However, each draw is unique. A sequence of not winning the jackpot does not improve a punter's chances of winning it in any subsequent draw, as is implied by the calculation made by the lower sixth further maths set at Giggleswick School in their letter of February 4.

The odds continue at 107,568 to one for each draw, ad infinitum. Nor can anyone predict when, if ever, any set (or sets) of numbers is going to come up. And, because punters select their own sets of numbers, no one can even predict the number of jackpot winners in any draw.

The probability is that probability theory is wrong.

Yours,
BRYAN CLOUGH,
Risks Analysis (Publishers),
9 Seymour Square, Brighton, Sussex,
February 5.

From Mr K. M. Young

Sir, In an effort to save my wife from wasting her pound on the lottery every week, I worked out that it would take her 134,615 years just to have a 50/50 chance of winning the jackpot, a statistic that had a visible effect on her. Last week she bought two tickets.

Yours sincerely,
K. M. YOUNG,
24 Furzedown Road,
Belmont, Sutton, Surrey,
February 13.

Stranger to a train

From Mrs Anne Trenchard

Sir, Perhaps Steven Norris (report, February 9; leading article and letter, February 10) should have a word with Virginia Bottomley, Secretary of State for Health, about the enormous sums saved by the dreadful human beings who use the London Underground.

Two years ago on a trip to Nepal, the only meat-eaters in the party not to succumb to "Delhi belly" were myself and a London solicitor. He came up from the south every day on the Northern Line, while I came down from the north every day on the same line. Everybody else drove to work.

Yours faithfully,
ANNE TRENCHARD,
Roxton Dene, South Road,
Chorleywood, Hertfordshire,
February 10.

OBITUARIES

U NU

U Nu, Prime Minister of Burma for 12 of the years between 1947 and 1962, died in Rangoon yesterday aged 87. He was born on May 25, 1907.

THRUST unexpectedly into the leadership of Burma in 1947, on the eve of its independence, U Nu steered his country ably through insurrection and civil war. It was the assassination of Aung San, the architect of Burma's independence, that transformed U Nu from being a non-political Speaker of the Constituent Assembly into Prime Minister. But he went on to give a masterly performance, maintaining a democratic administration for 16 years by juggling his party factions and winning three general elections before being ousted in a military coup in 1962. He was an influential figure in the Non-Aligned Movement in the 1950s, while in the West he was respected for his integrity and commitment to democracy and religious tolerance.

U Nu was exiled throughout the 1970s but returned to Rangoon in 1980 and, at the height of pro-democracy demonstrations in Rangoon in September 1988, made an abortive attempt to regain power before a military junta seized control. In an autobiography written while imprisoned by his dictatorial successor, General Ne Win, he admitted, with remarkable frankness, that as a youth he had been "the chief of sinners" who revelled in lying, stealing, drinking, drug-taking and womanising until he discovered a deep sense of the spiritual truths of Buddhism.

During his years as Prime Minister he was hailed as *Rajarsi* — ruler-teacher — and after a year in exile, renounced, as Gandhi had done, all uxorious pleasures. With a broad, flat face usually creased into a huge grin he remained, at heart, a peasant and, to the delight of his followers, his speeches were full of crude counterfitted epithets and allusions. U Nu's political activities were to him only part of a much larger purpose: the preservation and advancement of Burmese culture, especially Theravada Buddhism. His efforts in this respect culminated in his translation from Burmese into English of the classic of Buddhism.

U Nu was born at Wakema in the Irrawaddy Delta. His father was a prosperous small-town rice trader.

Educated locally at first, he then attended the Myoma High School in Rangoon and the new University of Rangoon, where he took his BA degree in 1929. After graduation he worked as superintendent of a nationalist high school at Pantanaw, a small delta town where his closest friend was a former university classmate, U Thant, who went on to become Secretary-General of the United Nations.

During his studies U Nu developed a broad interest in English as well as Burmese literature and said that George Bernard Shaw was the model for some of his own literary efforts.

According to his memoirs, translated as *U Nu — Saturday's Son*, U Nu resolved at the age of 19 to be a Bodhisattva — one who is capable of achieving nirvana but postpones doing so in order to help alleviate human suffering. While not a particularly original thinker, he did combine in his life and work traditional Burmese Buddhist beliefs with modern political practice.

Returning to Rangoon University to study law, he was drawn into the leadership of the students' union and the nationwide student strike it organised against the colonial government in 1936. With many other students he joined the Thakin Party — so named because Thakin, or "master" was the way in which Europeans expected to be addressed by Burmese. He was a member of the *Dobama Asiayun*, the leading radical nationalist movement of the 1930s. He also founded the *Nagani* (Red Dragon) publishing house, wrote several plays and political tracts and was arrested for his anti-imperialist activities. This gained him the respect of younger nationalist colleagues who valued his ability to mobilise popular support and to create a positive nationalism out of the long smouldering Burmese resentment against British rule.

By 1940 U Nu was prominent enough to be imprisoned by the British authorities. They released him in a vain attempt to send him as an emissary to China's Kuomintang leaders. This initiative was aborted by the Japanese occupation and within two years U Nu became a member of Dr Ba Maw's Government under the Japanese occupation, serving as Minister of Information and Foreign Affairs.

At the end of the war U Nu sought



political obscurity, hoping to withdraw from public life to write. However, the maelstrom of postwar politics drew him back into the centre of affairs when in 1946 he was elected vice-president of the Anti-Fascist People's Freedom League (AFPFL), the major nationalist front. It had recently agreed with the British Governor, Sir Hubert Rance, to join a transitional executive council prior to independence. In June 1947 Nu was elected to the non-party role of president (Speaker) of the Constituent Assembly formed to draft a constitution.

Within six weeks, however, Aung San, was assassinated together with almost all his Cabinet. U Nu, was at 41, Burma's elder statesman and was called upon by the Governor to take over as Prime Minister. He quickly formed a new government, concluded the negotiations for the handover of sovereignty and presided at the independence ceremonies on January 4, 1948. Soon after, however, his Government faced separate rebellions from the Burma Communist Party and the Karen community in east Burma; and it was only through his political charisma, as well as the military resources of the beleaguered state, that he was able to see the anti-government forces broken by the early 1950s.

Nu then led the AFPFL to success in national elections in 1952 and 1956. During his rule nationalisation measures were introduced, mainly directed at breaking British and Indian dominance over the economic life of

the country, and education and welfare measures opened up to greater numbers of people. At the same time U Nu gradually modified the Marxist outlook that had prevailed at independence and promoted greater observance of Buddhism and tolerance of other religions.

But behind his party's apparent strength there lay many fissures that led him, in 1956, to relinquish the prime ministership for nine months and in 1958 to resign again for 18 months to make way for a caretaker government led by the Army Commander, General Ne Win. U Nu's party won re-election in 1960, but in March 1962 he was ousted from office in a coup led by Ne Win.

Following five years of house arrest, U Nu was permitted to leave Burma for health reasons in 1967. He soon began to organise a movement to overthrow the Ne Win Government. Operating from Thailand for several years, this effort failed for a variety of reasons, not least of which was U Nu's own unwillingness to shed the blood of his fellow countrymen, and in 1972 he abandoned politics totally to reside near a Buddhist monastery in India. There, he remained in quiet exile until 1980 when, at the invitation of President Ne Win, he returned to Burma to receive a state award for his services to Burma and to accept an offer to translate Buddhist texts.

When increasing civil unrest caused the fall of the Ne Win regime in 1988, U Nu declared himself Prime Minister of a 26-member government but his action failed to capture much popular support and foundered when a military junta seized power on September 18. Two months later he and 11 associates were detained for failing the junta's orders to dissolve their embryonic government. He remained under house arrest until April 1992 and after release continued to campaign on behalf of Aung San Suu Kyi, the pro-democracy campaigner under house arrest in Rangoon since July 1989.

As a politician, U Nu was often mistrusted by his political colleagues as arrogant and presumptuous, as he admitted in his memoirs. But he was revered by the Burmese public for his political charisma, ascetic behaviour and the depth of his religious conviction.

U Nu's wife Daw Mya Yee predeceased him: he is survived by his five children.

JAMES MERRILL

James Merrill, American poet and novelist, died of a heart attack in Tucson, Arizona, on February 7 aged 68. He was born in New York on March 3, 1926.



ONE of the most gifted, in the technical sense, of that generation of American poets which emerged in the 1950s James Merrill at first appeared in danger of becoming a victim of his own inventive facility. Reviewers were prone to suspect that his cunningly handled imagery, his manifestly cultivated tastes and his careful control of form and content were perhaps merely the superficial adjuncts of a sensibility which had not in Jungian phrase "gone to the bottom" in life. There was a fear that Merrill's talent might, in the end, prove to be merely the minor lyric gift of an American rich boy whose circumstances enabled him to sip experience in whatever part of the world his fancy might lead him.

But as time went on, and Merrill was able to look back on and rework his earlier experience, it could be seen that his metaphysics were something more than just an alliance between dazzling technique and frigid wit. By the appearance of the admirably risky entitled *Divine Comedies* (1976) Merrill had emerged as a poet of vision and depth. The volume deservedly won him the Pulitzer Prize for Poetry of its year.

James Merrill was the son of wealthy parents, his father's third but his mother's only child. His father was the founder of the Wall Street brokerage firm of Merrill Lynch; his mother owned a newspaper. Summers were spent on Long Island, winters in Florida. After his parents divorced his mother settled with him in New York.

He served in the US Army during the last year of the Second World War and then went to Amherst College, where he wrote a thesis on Proust and had some of his early poems published. Later he settled in Connecticut with a male companion with whom he travelled to Europe, particularly to Greece and the Levant. This region, with its

guiltless ambisexuality, was important to him (he and his friend later bought a flat in Athens) and there is much evidence in his later work of the influence of Cavafy.

In the meantime he had published his first major collection, *First Poems*, in 1951. Like its successor *The Country of a Thousand Years of Peace* (1959) it was regarded as being an affair of skill rather than of heart. Undaunted, Merrill tried other literary forms: short stories, plays and novels. *The Immortal Husband* (1953), which retold the story of Aurora and Tithonus, was produced off Broadway in 1955.

His first novel *The Seraglio* (1957) was perhaps too much under the influence of Henry James, but with the 1960s and a return to poetry it was apparent that he was finding an authentic voice. The successive volumes *Water Street* (1962) *Nights and Days* (1966) and *Braving the Elements* (1972) gave a much fuller rein to his talents than their predecessors, and though the sense of tight control was still there, it was given strength by a new complexity of feeling. A second novel, *The Dribbles Notebook* (1965), a tale of sexual fixation between half brothers who come together on a Greek island, had undoubtedly moments of felt experience, though its use of a notebook style (with deletions preserved to tantalise the reader) subverted these by inducing an overall matter-of-factness into the relation of events.

Besides his Pulitzer Prize, Merrill won two National Book Awards.

REAR-ADMIRAL SIR DAVID ALLEN

Rear-Admiral Sir David Allen, KCVO, CBE, Defence Services Secretary and Chief Naval Supply Officer, 1988-91, died of a heart attack on January 13 aged 61. He was born on June 14, 1933.



DAVID ALLEN rose to the top of his profession as a naval supply and secretariat officer. His final tour as Defence Services Secretary combined the duties of managing the relationship between the Ministry of Defence and the Royal Family and maintaining the balance of appointments of senior officers to tri-service posts.

His contacts with Buckingham Palace were extensive and embraced policy issues and those proposals for promotions and appointments and for honours and awards which require the sovereign's approval.

David Allen joined the Royal Navy in 1949 and followed a conventional career as a "pusser" (supply officer) with tours in the Far East and home waters. A man of excellent judgment, full of wise counsel to the many senior officers he supported, he was also possessed of an original wit. When a lieutenant, his first ministry appointment as assistant secretary to the First Sea Lord, the formidable Admiral Sir Varyl Begg, required him to forward a formal photograph for record and public relations purposes.

A second closer glance at it would show that the knuckles of this smart young officer in dress uniform were somehow, in simian fashion, brushing the ground.

His later tours included a testing three years, 1978-81, supporting two different Controllers of the Navy during the equipment procurement battles of the day and also running the front office for Admiral Sir John (afterwards Lord) Fieldhouse, First Sea Lord, during the intensely political aftermath of the Falklands War.

Allen was created KCVO in 1991. He had been an independent inspector on the Lord Chancellor's Panel since 1992. From 1993 he was a director of the Avon NHS Trust. One of his hobbies in later life was managing his flock of more than a hundred sheep.

He is survived by his wife Margaret and their two sons.

NATHAN GOLDENBERG

Nathan Goldenberg, OBE, chief food technologist at Marks & Spencer, 1948-72, died on January 26 aged 83. He was born on September 4, 1911.

NATHAN GOLDENBERG was the senior food scientist at Marks & Spencer for 25 years. He was not chef himself and could not be said to have created any of the products on

the stores' shelves. But he led food retailing in Britain through a profound revolution.

Perhaps his biggest contribution was the tough line he took on hygiene — salmonella, listeria and botulism being bigger problems in the early days of pre-prepared and frozen food. Not just the raw materials, but wrapping, print, containers, distribution vehicles and production prem-

ises were all rigorously monitored, as were the farms and factories which supplied the company. Goldenberg was not always an easy man to work with but he stood his ground on matters of hygiene and quality.

He also pioneered the idea of specification buying and established productive links with universities. He kept the use of additives, on which he held many reservations, down

to a minimum, and insisted that any additive used had to perform a specific function.

He achieved all this virtually from a standing start, having joined the team of food technologists at Marks & Spencer in 1948. When he arrived very little had changed since the company first ventured into food retailing just after the First World War. Biscuits, confectionery, custards and ice-cream were being sold but none were made specifically for Marks & Spencer.

By the early 1950s the attention paid to food retailing was decreasing if anything, as priority went instead to clothing and textile development. Other sections of Marks & Spencer's business, including foods, were slumped down or eliminated to allow more space for clothes racks.

However, in the mid-1950s Sir Simon Marks had a change of heart. He called Goldenberg in to his office, told him to drop all other work and to concentrate on developing a limited range of high-quality cakes. If the cakes were a success, then the same approach would be applied to the other food departments. If they failed, then food retailing at Marks & Spencer might well be scrapped altogether.

After cakes, Goldenberg developed his own range of biscuits, tinned products and fresh fruit. High-risk foods like meat, poultry, dairy and fish products followed and in 1970 Marks & Spencer established a national chilled food distribution system. With that, the development of high-quality chilled convenience foods became a possibility, and a whole new market opened up. Nathan Goldenberg was

born in Boguslav, near Kiev, in the Ukraine. His mother was a doctor, his father a journalist and a book dealer. The family settled in Notting Hill, London, in 1921, after escaping the horrors of the civil war. He was educated at Latimer Upper School, Harmsworth, and on a scholarship at Birkbeck College, London, where he took a first in chemistry.

For twenty years he worked as a research chemist for J. Lyons & Co. Food technology was then in its infancy, and Goldenberg did research into the starch component of wheat flour. In 1948 he joined Marks & Spencer, as technical executive and chief chemist to the food division. He retired in 1972 though he continued to act in the capacity of scientific adviser until 1985.

He sat on various committees, among them the food additives and contaminants committee at the Ministry of Agriculture, Fisheries and Food, 1964-75, and acted as a consultant to the Israeli food industry. He was a strong supporter of the Zionist movement. He also wrote scores of scientific papers on various aspects of hygiene and quality control. He was appointed OBE in 1976.

He is survived by his wife Edith, whom he married in 1937, and one son.

Joan Ramsey (obituary, February 14) married Michael Ramsey, the future Archbishop of Canterbury, when he was Van Mildert Professor of Divinity at Durham University and not while he was Bishop of Durham. Also, she was born on September 16, 1909, not 1910.

PERSONAL COLUMN

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WINTER SPORTS

You don't have to be a millionaire to live next to a golf course, where houses come in all shapes and sizes, says John Macgowan

There is always a feeling of sadness at the end of a round of golf when the player has to clamber into his car after a careful quick one in the 19th and head for home.

If only home were by the course, it would not only save the drive but provide the chance to play at any time, the golfer thinks.

There is no reason why it should not be. Houses by golf courses are on sale throughout the country. They come in all shapes, sizes and prices and are available whether the golfer is still working or looking for a retirement home.

Most are situated by, or overlooking, a course, but it is rare to find one that offers membership as part of the package, a selling gimmick often present with Spanish, French and Portuguese courses, where the houses are part of the development.

One place where membership is on offer is at Pitt, Hampshire, next to the South Winchester Golf Course designed by the television golf commentators Peter Alliss and Clive Clark. Two period barns are being rebuilt and converted into large houses on the edge of the course, and the buyers will receive club membership. Manor Barn, with a vaulted dining room, principal and guest bedroom suites, two further bedrooms, and a first floor gallery and living room, is priced at £250,000. The smaller Manor Cottage, originally a chalk barn, has four bedrooms and a guide price of £200,000 (both available through John D. Wood).

Not far away in Hampshire, but without the benefit of member-

One small step to the golf course



Romenda Lodge (left), which fronts the 15th fairway of the West Course at Wentworth, sold for £900,000. Linkway (right) has a gate on to the 17th tee at Effingham (£675,000)

ship, is the much less expensive, modern three-bedroom detached house overlooking Old Thorns course at Liphook (£99,000 through Hampsons), and at Crondall near the Surrey border, seven houses by that course are for sale. One is Lime Trees, a listed five-bedroom house of original open hall cruck construction, dating from the 15th century, which stands in three acres and overlooks the course. The house is one

of the oldest in the village (John D. Wood, £495,000).

In Surrey there are a number of houses available, some overlooking famous courses — but not Romenda Lodge, the large 1920s house fronting the 15th fairway of the West Course at Wentworth and until recently the rented home of the Duchess of York and her two daughters. Its sale for around £900,000 through Knight Frank & Rutley to a foreign businessman

working in the UK was completed recently.

By Worpleston and Effingham golf clubs in the same area are two similar fine family homes. Sefton Lodge (Hampsons £550,000) backs on to the 17th green and 18th tee at Worpleston and was built in the 1920s. It has a master bedroom suite, seven more bedrooms and stands in two acres.

Linkside has a gate on to the 17th tee at Effingham and also has

views of the North Downs. The house was built in the 1930s with major extensions in the 1960s, and has five bedrooms, three bathrooms, four reception rooms, with a heated swimming pool (£675,000, Savills).

In the Midlands, Olympic swimming silver medalist Sharon Davis and her husband, the athlete Derek Redmond, former British 400 metre record-holder, have their Georgian-style three-

storey house on the market with Jackson-Stops & Staff at £285,000. It adjoins the Collingtree Park Golf Course near Northampton, which was laid out by American Johnny Miller, the former Open Champion, four years ago.

The house, with five bedrooms, was built three years ago and stands in about half an acre, with a swimming pool. Further north in the Midlands is The Old Kennels, near the new Rufford Hills Golf

Course near Newark, Nottinghamshire. It can combine equestrian sports for a non-golfing partner because of its 26 acres and stable buildings (£395,000, Savills).

Move west and there is a choice for someone who wants to retire next to the scene of his or her favourite occupation. On the edge of Dartmoor, and by the drive of Okehampton Golf Course, stands Sylvan Steps, an unusual L-shaped modern four-bedroom house (Millers, £110,000). In nearby Exeter, for business or retirement, a traditional four-bedroom house in Countess Wear backs on to Exeter Golf Course (Fulfords, £182,500).

But if retirement by the sea is the aim, then Fulfords of Exeter can offer a five-bedroom modern house with a balcony overlooking the course and the sea at Thurlestone, not far from Salcombe and Burgh Island on the Devon coast, for £265,000.

The fact is that wherever you want to play golf you will find a house. It can range from a purpose-built weekend lodge, such as those by The Watermark Club's Overstone Park course in Northamptonshire, to St Mary's Hotel Golf and Country Club at Pencoed near Bridgend. That is the ultimate for a golfer who has won the National Lottery, the chance to play unlimited golf on one's own course. It is a 27-hole golf course with a 15-bay driving range, a 24-bedroom country house hotel and a restaurant for up to 100 people, set in 150 acres of parkland. It is a snip at £3.25 million (Knight Frank & Rutley).

Rising in the west



Albion Street (left) is one of the smartest streets in W2. Houses there are similar to those in Eaton Terrace (right) — but dramatically cheaper



The Connaught Triangle, which makes up the 90-acre Hyde Park Estate in London, is witnessing a renaissance. The area, with a mix of both good period and modern properties, is west of Marble Arch and north of Hyde Park, in the postcode area W2. It is central, minutes from Hyde Park, Paddington Station and the rail link to Heathrow which is opening in 1997, and all the West End can offer. It also has a village feel, with plenty of local shops, a strong community and excellent restaurants.

With all this going for it, you would think it would be one of the most expensive areas of London, but for some reason W2 has always been second cousin to the smarter and more fashionable Belgravia and Knightsbridge, Kensington and Chelsea.

But now, it is these lower prices which are attracting people who would normally have bought in Kensington or Belgravia. Francis Norris was looking in the Kensington area last year to buy a three-bedroom flat, but could not find what he wanted for the money. He eventually bought a flat through Foxtons in Cleveland Square, which is just further west of the Connaught Triangle, for £395,000. The equivalent flat in Kensington, the agents say, would have cost £600,000.

Price differentials are quite staggering. In Connaught Square, a six-bedroom house on four floors on a 43-year lease selling through De Groot Collis is valued at £690,000. A house with equivalent internal layout in Chapel Street, Belgravia, with one less bedroom, but with a garage and a 50-year lease, is on the market for £1,495,000. Without a garage this

After years of playing second cousin to more fashionable areas such as Belgravia, W2 is coming into its own. Mary Wilson reports

would probably be about £1.3 million.

Another example is of a five-bedroom, four-reception room house in Albion Street, selling for £945,000, which is far cheaper than a similar property in Belgravia. Albion Street is one of the smartest streets in W2, with excellent period properties on both sides of the street. "The exterior of this property is very similar to houses in Eaton Terrace, SW1," Anthony Lassman, of Lassmans, says. "The main difference is price. You could expect to pay up to 80 per cent more for a freehold house in Eaton Terrace."

"Belgravia is unquestionably the more fashionable of the two addresses, but properties in W2 offer outstanding value for money," he says.

Further west, a two-bedroom flat in the up-and-coming addresses of Queens Gardens or Cleveland Square would cost between £200,000 and £250,000. The equivalent in Notting Hill or Kensington would fetch between £300,000 to £395,000.

"The prices used to be more comparable," says Charles Oliver, of Chestertons Residential, which has a branch in Connaught Street. "Over the past 10 to 15 years a big gulf has developed. It will be decades before it catches up."

One of the reasons that prices have stayed low, apart from the area just not being on many people's shopping list when they start looking, is the dearth of agents in the area. Agents, by and

large, help to work the prices up, but there have not been enough in the area to have done that.

De Groot Collis opened its first W2 office last September. "We felt it was a part of London which was undervalued and light on agents," says Priscilla Stille, a director of the company. "It is an area with some growth in it and the Hyde Park Estate, which is the best part of the area, is quiet, clean and well-maintained."

The area has another positive advantage, and that is its parking. As restrictions on parking in central London tighten, so it becomes more essential to buy or rent property with a garage or parking space. Under the Hyde Park Estate there is parking for more than 1,000 cars and there are always spaces. These can be rented on a yearly basis and it means that anyone working in the City, for example, knows their car is safe and secure while they are away.

"Many of the houses have their own garages," Charles Oliver says, "but even if your own property does not have a parking space, you can rent an underground space for around £1,800 plus VAT a year. At St George's Field, a development of flats in Albion Street, every property has its own parking space. Some owners who do not need the space rent them out for £20-£30 a week."

Other areas growing in demand are Gloucester Square and Hyde Park

Square, Clarendon Place, Connaught Close and Radnor Place. Around St John's Church, Hyde Park Crescent, Raynham, Castleacre and Southacre, blocks of flats with 24-hour security and landscaped gardens, are also very popular.

Over the last 12 months, prices have risen by around 20 per cent. A five-bedroom modern house in Oxford Square, for example, saw its value increase from £350,000 to £425,000 and a four-bedroom period house in Albion Street, where all the houses are freehold, went from £470,000 to £570,000.

At the lower end of the market, the W2 area is also making a comeback. Simon Agace, chairman of Winkworths says, "Many younger people in their twenties or early thirties are looking for flats around the £200,000 to £250,000 mark on the Hyde Park Estate."

"During the last two years, buyers in the middle price range have realised that W2 offers very good value for money," says Sean Cusack, director of Foxtons' Notting Hill Gate office. "Often, the large stucco properties offer more space for buyers who are being squeezed out of Notting Hill. W2 is a prestigious address. It just has not received the recognition it deserves."

CORRECTION

Number 115 Eaton Square, London SW1, mentioned on February 8, 1995, is being marketed by Aylesford & Co (0171-351 2383).

Number 12 Eaton Square is being sold through De Groot Collis's Knightsbridge office.

For those who like to bask in the past

Michael Ackroyd looks like a young Martin Chuzzlewit, and his Victorian home provides the authentic setting. He lives in a terrace house dating back to 1898, without electricity, a bathroom or even an inside toilet. But Mr Ackroyd, 28, has always wanted to live in Little Dinner Cottage, near Tamworth, and, even if he won the lottery, would not want to live anywhere else.

"It's so peaceful," says Mr Ackroyd, who lives alone in his two-bedroom home. Mr Ackroyd is the local undertaker. Each day he dons a morning coat and a top hat, leads a Victorian horse-drawn hearse, and plays the organ at the local church.

Having begun collecting artefacts during his childhood, Mr Ackroyd has filled his cottage with local memorabilia. When he moved in two years ago, friends and neighbours filled the house with gifts. The blue velvet curtains at the parlour window were given to him by the local hotel. The church gave him a table and chair, and the local shop gave him a wall unit for his china. All he had to do was pay £30 a week to his landlady and the rest happened naturally.

When the contents of the old village school were auctioned off several years ago, Mr Ackroyd noted buyers' names and has been contacting them ever since to ask if they would sell him any items. He already has the school registers, crucifixes, photographs, headmaster's cabinet and a teacher's schoolbag dating from 1914. He even persuaded the highest bidder for the school's overmantle to swap it for two pictures.

The previous owner of the cottage was born in an upstairs bedroom, and her parents may have been the first tenants. They did not undertake any modernisation; there is no electricity, and gas still provides lighting as well as cooking facilities.

"At £12 a quarter," he says, "gas is very cheap. I've always been fascinated by gas lights and have about 30 different types. Bright light gives me a headache so I'm happy to put

Little Dinner Cottage has no bathroom or electricity, but its tenant wouldn't change a thing

my collection to use. I don't miss anything. I can't stand television and prefer to create my own music, or use my imagination looking for pictures in the fire."

Every room has its original fireplace: each one adorned with bellows, old clocks or candles. There is a cold tap in the scullery but, to have a cup of tea or a wash, Mr Ackroyd heats up a kettle. Three times a

Mr Ackroyd's cottage is home to a growing collection of local memorabilia

week he goes next door to have a hot bath. His mother lives in a modern house just up the road. He visits her twice a week to do his washing. Otherwise, Mr Ackroyd lives entirely in the past.

Red quarry tiles cover the floor, and the walk-in pantry is stocked with old war-time packets which create "another world" feel. There is a milk churn at the back door, where Mr Ackroyd stores his daily deliveries. In hot weather, because he has no fridge, he stands his milk in a bucket of cold water. But fresh produce purchased daily, he says, is the safest and most enjoyable solution to life.

According to Mr Ackroyd's mother, his house is a "museum piece". The scullery retains

its original locally made blue brick flooring, and the laundry copper in the corner is coal-fired from below to boil water. There are two washing dollys, and a scrubbing board that requires good old-fashioned elbow grease.

Without modern-day facilities, and damp, no ordinary building society would offer Mr Ackroyd a mortgage. He does not want to modernise Little Dinner Cottage and does not have money enough to secure a deposit at the moment but, when he does, the Ecological Building Society could be his salvation.

Anyone determined to live in an historic house, and whose application for a mortgage has been turned down by the more conventional building societies, need not despair. "That's actually in their favour from our point of view," Bob Lowman, chief executive of the Ecology Building Society, says. "Mr Ackroyd's home would be of particular interest to us because it is part of a terrace, making it more energy efficient."

With assets of £15.5 million, Britain's third smallest building society has 430 borrowers and 4,000 investors. From a homely office in the village of Keighley, West Yorkshire, the EBS lends mortgages to people engaged in projects which will benefit the environment. Advances are made on housing that is self-sufficient, saves on non-renewable resources, or makes the most ecological use of land.

Some EBS home owners live in houses as exciting as Mr Ackroyd's. They own 17th-century farms or remote cottages in the bleak Welsh hillsides without mains electricity. At 8.6 per cent from January 1, an EBS mortgage is not cheap, and it lends only on a maximum of 80 per cent of the value. "We aren't just a soft touch, and we do not take any old rubbish," Mr Bowman says. "We operate on a very human level." And if all goes well, it could soon be on first name terms with Mr Ackroyd.

MORAG PRESTON

● The Ecology Building Society (01535 639933)



Michael Ackroyd says of life in his cottage near Tamworth: "I don't miss anything"

A spring in the market

The commercial property market in the South East of England is slowly waking from the hibernation of recession, mirroring an increasingly optimistic picture in London. As activity in the market in the last quarter of 1994 is analysed, giving observers the opportunity for year-on-year comparisons, various trends are identifiable. Vacancy rates are falling, there is a shortage of the best space and new development is beginning again.

Weatherall Green & Smith reports in a survey of the region that office vacancy fell from 17.2 to 14.3 per cent in 1994 as takeup increased to more than 5 million sq ft.

Within the overall picture, there have been notable falls in the amount of empty space in locations including Crawley/Gatwick, Heathrow, Hemel Hempstead, Maidenhead, Milton Keynes, Slough, St Albans, Staines and Uxbridge, and vacancy rates have fallen below 10 per cent in Cambridge, Oxford, Maidstone and Redhill/Reigate.

Marous Henley, the head of Weatherall's southeast office, believes that rental growth will return this year as the availability of good quality office space is reduced. "There is, for instance, no prime new space available in the Redhill-Reigate area and only 5 per cent of the 116,974 sq ft of current supply is in good-standard secondhand buildings."

The market for the limited supply of good space is therefore very

Christopher Warman reports on a definite change in the South East

strong, Mr Henley says. "With the emphasis on first-rate buildings, 1995 should see the development markets prospering in Reading, Redhill/Reigate, Maidenhead and Slough." Already there have been several prelettings, including Nokia in Camberley, NorTel in Maidenhead and Nerman Insurance in Reading.

Weatherall says that there could be a resurgence in the refurbishment market where it can compete on cost and timing with any new development.

Encouraging signs are emerging from the office market around the M25, as two reports show. By the end of last year, the vacancy rate reached single figures (9.8 per cent) as the total available was reduced to 968,359 sq metres (10.4 million sq ft), Knight Frank & Rutley reports. The supply of new floorspace declined by nearly 25 per cent in 1994, bringing space around the M25 back towards market balance.

Though some parts of the M25 remain well supplied, the south-west quadrant, the area between the M23 and M4 intersections, is showing a shortage. At present takeup levels, there will be little or no new space available anywhere in the Gatwick/Surrey market by this autumn.

Knight Frank & Rutley says falling supply is attracting strong

interest from developers, although they remain cautious. They are refining existing planning consents, securing their funding and initiating advance marketing campaigns before they go ahead.

As the short supply of new space has stimulated the prelet market, so it has provided strong impetus to the secondhand sector. For the first time in three years, takeup of secondhand space in the fourth quarter of 1994 exceeded that of new accommodation.

Richard Ellis, in its latest M25 office market bulletin, reports that in the last quarter of 1994 office space takeup fell for the second consecutive quarter, but this was partly due to a continued lack of choice. "As a result," the agent says, "preletting is likely to become a more significant characteristic of the market during 1995 as occupiers find their choice of built accommodation restricted."

In London, both in Docklands and in the West End, takeup of office space is at its highest for several years. In Docklands, Knight Frank & Rutley reports, takeup in 1994 of 75,620 sq metres (809,000 sq ft) was the highest since 1987, and though only 2 per cent up on 1993, is an indication of underlying improvements.

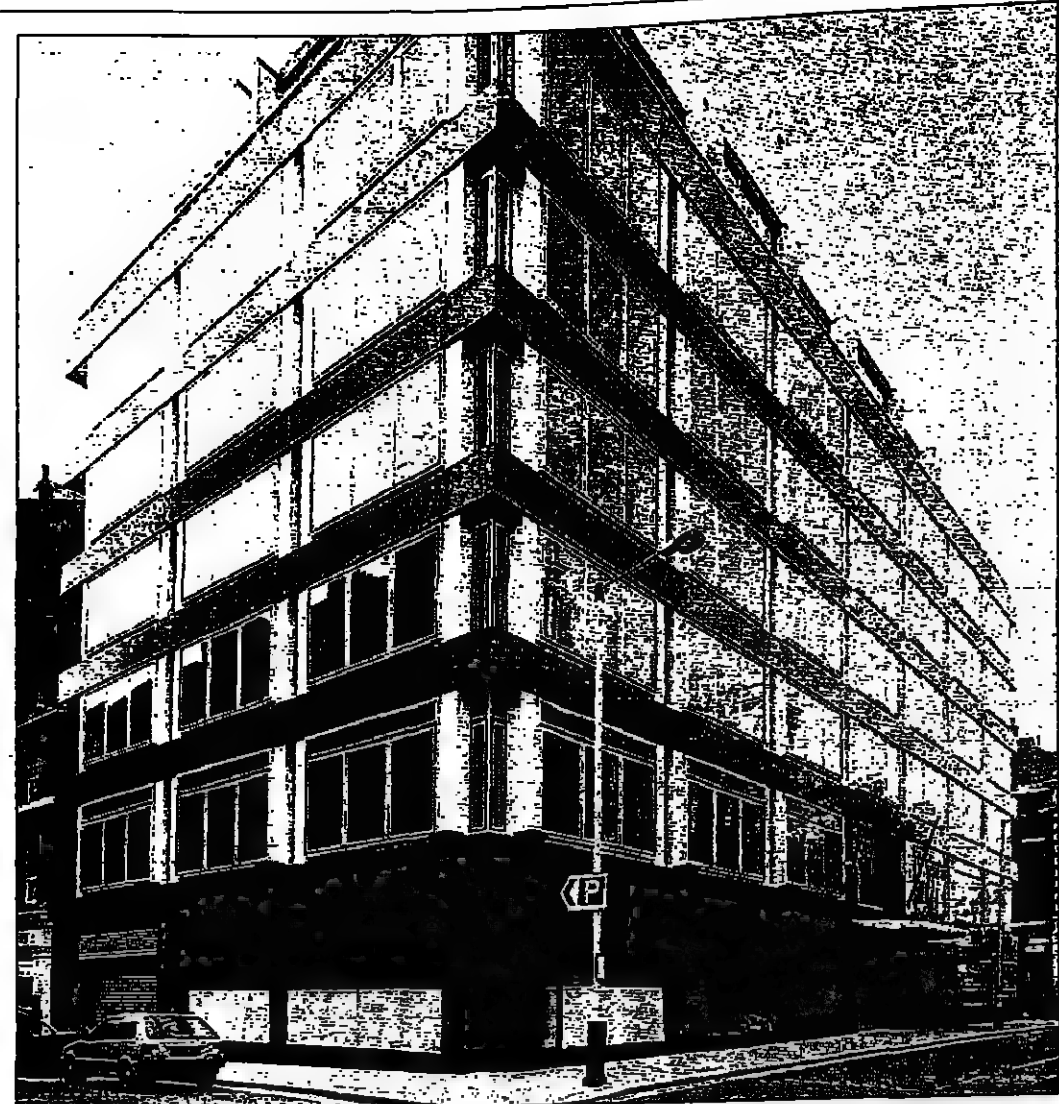
Stephen Newbold, KFR's central London analyst, says: "Tenants' perception of Docklands continues to improve. During 1994, there was a positive change in the nature of demand away from bank-related disaster recovery requirements seen earlier in the year to genuine searches for headquarters premises."

Encouragingly, for the wider Docklands market, tenant demand in 1994 was not focused entirely on Canary Wharf — 78 per cent of space was taken up on the Isle of Dogs outside Canary Wharf.

Present supply is divided almost equally between Canary Wharf and the rest of Docklands, but Canary Wharf seems likely to lead the leasing market during the early stages of this year. "During the short to medium term, the shortage of major new office buildings elsewhere in central London, coupled with progress on the Jubilee Line extension should combine to act in Docklands's favour."

"The regeneration of Docklands, and its true emergence as a premier commercial centre, is dependent upon major occupiers recognising it as a location from which they can do business. This is now happening," Mr Newbold says.

He pointed to a similar situation in the West End, where the takeup of office space in 1994 rose by 11.2 per cent. There are variations of availability, ranging from a low of 6.5 per cent in Victoria to 13.2 per cent in the core of Mayfair and St James's.



Burlington Gardens: in the largest Mayfair letting for 18 months, Pearson has taken as its new headquarters the 40,000 sq ft Scottish Widows development at 3-5 Burlington Gardens, London W1 D.E. and J. Levy, the agents, report the rent to be up to £35 a sq ft, rent-free for 18 months.

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IRVINE DEVELOPMENT CORPORATION Disposal of Housing Stock

Irvine Development Corporation must dispose of its housing stock to successor landlords by December 31 1996, following a ballot of tenants in May 1996.

The Corporation currently has a rental stock of 3,345 properties and 160 lock-up garages generating an annual gross rental income of approximately £5,366,000.

This stock will probably be divided into five ballot areas for disposal, reflecting the number of Corporation tenants in established communities within Irvine New Town. These ballot areas range in size from 113 to 1492 properties.

Landlords who are interested in acquiring Corporation housing stock are invited to request an overview package which provides information on acceptable landlords, ballot areas, financial profiles, and the evaluation process. This package will guide prospective landlords in deciding whether to formally register an interest and, if they intend to do so, in which ballot areas.

Formal registrations of interest, on an area by area basis, are required by February 28 1995. Detailed stock profiles, specifications and maps will be forwarded on a ballot area basis to landlords who have registered interest. Landlords will be requested to submit their outline proposals for acquiring stock, based on this detailed specification package, by April 18 1995.

To obtain an overview package, write to, fax, or telephone:
David Walker, Chief Housing Manager,
Irvine Development Corporation,
Bridgegate House,
Irvine, Ayrshire,
KA12 8BD, Scotland.

Telephone: 01294-275224 Fax: 01294-277769

THE TIMES COMMERCIAL PROPERTY

The Times will now be publishing a regular Commercial Property Section to appear on the third Wednesday of every month, including relevant editorial by Christopher Warman.

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NEWS

Cabinet wars force down pound

Senior Conservatives told John Major that it was time for the Cabinet to show discipline as the party's incessant turmoil over Europe took its toll on the pound. The executive of the 1922 committee is understood to have voiced anger over the behaviour of warring Cabinet ministers.

On the day that the pound fell to its lowest level against the Deutschmark for two years Eddie George, the Governor of the Bank of England, told Tory MPs that political uncertainties about Britain's attitude to Europe are contributing to the weakness of sterling. Page 1

Top brass to go in Army cuts

Eight major generals are to be axed in the last phase of a series of redundancies which have reduced manpower by more than 17,000 soldiers and officers since 1990. Page 1

Jill Phipps funeral

More than 1,000 mourners were at the Coventry Cathedral funeral of Jill Phipps, the woman already described as the first animal suffragette. Pages 1, 2

Student dole

Ministers moved to crack down on more than 80,000 students taking courses on the dole, after claims that colleges were tailoring programmes to take advantage of the system. Pages 1, 9

Belfast talks

The British and Irish Governments held four hours of talks in Belfast in an attempt to finalise the forthcoming Anglo-Irish framework document. Page 1

Immigration promise

John Major said that he would ensure the European Union allowed Britain to retain border controls. The European Court of Justice is preparing hearings on the issue. Pages 2, 10

Doing better

School inspectors will focus more closely on standards in the "three Rs" under proposals that aim to cut paperwork and make reports parent-friendly. Page 4

Police car taken

A personal assistant to Michael Howard, the Home Secretary, faced disciplinary action after a court was told how she had taken a Special Branch car while over the drink-drive limit. Page 5

Family battle over £15 million will

The family of Maureen, Marchioness of Dufferin and Ava began legal proceedings to challenge her right to leave her grandchildren a fortune estimated at £15 million. Lady Dufferin, 88, who lives in Knightsbridge, west London, wants to settle a family trust fund in favour of Evgenia Sands, 30 and Ivana Citkovitz, 28, who live in America. Page 3

Climbers die

Treacherous weather on Ben Nevis and Glencoe have claimed two more climbers in spite of the efforts of mountain rescuers who battled in darkness, blizzards and sub-zero temperatures to find them. Page 6

Fruit juice danger

Children who have high quantities of fruit drinks are falling ill with a syndrome that slows their growth, doctors say. Page 7

Cheaper holidays

Holidaymakers taking their cars to France through the Channel Tunnel this summer will save £10 compared with the cost of using the Channel ferry. Page 8

TV quotas rejected

French attempts to force new European barriers to American "cultural colonialism" appeared doomed after Germany joined Britain in rejecting tighter quotas on imported TV. Page 11

Student army

A newly formed army of Islamic students capped its stunning advance through Afghanistan by overrunning a key rebel base south of Kabul. Page 12

Draconian plan

Ariel Sharon outlined a draconian plan for dealing with Islamic terrorism, including the deportation of the families of suicide bombers and helicopter assaults on the Gaza Strip. Page 13



Mexican soldiers take cover as shots ring out from a village controlled by the rebel Zapatista National Liberation Army. Page 11

BUSINESS

Electricity: The gloves are off for the first hostile takeover bid for a privatised utility. Conditional clearance was granted to the £12 billion bid by Trafalgar House for Northern Electric. Page 25

Pay: Non-executive directors of companies now earn an average of £14,400 for 15 days' work a year, a new survey will reveal. Page 25

Lloyd's: A High Court judge ruled that more than 3,000 Lloyd's Goodwill Walker names should receive £210 million as an early payment of their damages arising from last year's action. Page 25

Markets: The FT-SE 100 fell 9.8 to 3071.3. Sterling's index fell from 78.8 to 78.3 after a fall from \$1.5638 to \$1.5568 and from DM2.3743 to DM2.3562. Page 28

SPORT

Football: Warren Barton, of Wimbledon, will win his first cap for England against the Republic of Ireland tonight. Matthew Le Tissier is also selected. Page 48

Rugby union: Rory Underwood has scored 41 international tries at grounds all over the world but not at Cardiff Arms Park. He hopes to rectify this on Saturday. Page 46

Cricket: An innings of 70 by Mark Ramprakash enabled England A to square their one-day series against India A with a three-wicket victory in Ahmedabad. Page 45

22m player: George Graham, the Arsenal manager, took his recent spending to £6 million when he completed the signing of Glenn Helder, the Dutch winger, for about £2 million. Page 48

ARTS

Berlin bound: Introspection rules at the Berlin Film Festival, as the opening film, *The Promise*, follows the 30-year history of two lovers separated when the Berlin Wall went up in 1961. Page 39

Contests and quibbles: The row over who builds the new Cardiff Opera House may be over but Marcus Binney anticipates similar incidents if competition rules are not clarified. Page 41

Gore in Greenwich: Juliet Stevenson stars at the Greenwich Theatre in one of the most bloodthirsty of Jacobean tragedies, *The Duchess of Malfi*. Page 40

Consumers Creation: John Eliot Gardiner conducted a fine period-instrument performance of Haydn's *The Creation*. Page 41

FEATURES

Anne McElvoy: Klinsmann's arrival at Spurs was greeted by fans wearing masks and imitating Luftwaffe planes in a recondite tease for his "diving". Page 14

Fashion: Iain R. Webb on the style icons of yesteryear, whose quirky dress-sense set the pace. Page 15

Homes: Michael Ackroyd lives in a terrace house dating back to 1898, without electricity, a bathroom or even an inside lavatory. Morag Preston on a time warp. Page 21

MEDIA

BBC dilemma: How can the BBC bridge the chasm between youth and age? Page 37

Loving you: Supermarket chains are competing with each other to thank customers. Page 37

Talk back: Broadcasters should take steps to counter politicians' defensive techniques. Page 37

THE PAPERS

The democracies of Europe and America, working together, have been one of history's most successful combinations. To say that this alliance's day is over because its latest adversary surrendered five years ago is a non sequitur. Page 9

After years of dodging questions about his health and drinking, Boris Yeltsin owes his country and the world a candid accounting. Page 9

LETTERS

Murder convictions for soldiers, opera and dance in London; heart attacks: a bird's eye view of Europe. Page 17

TOMORROW

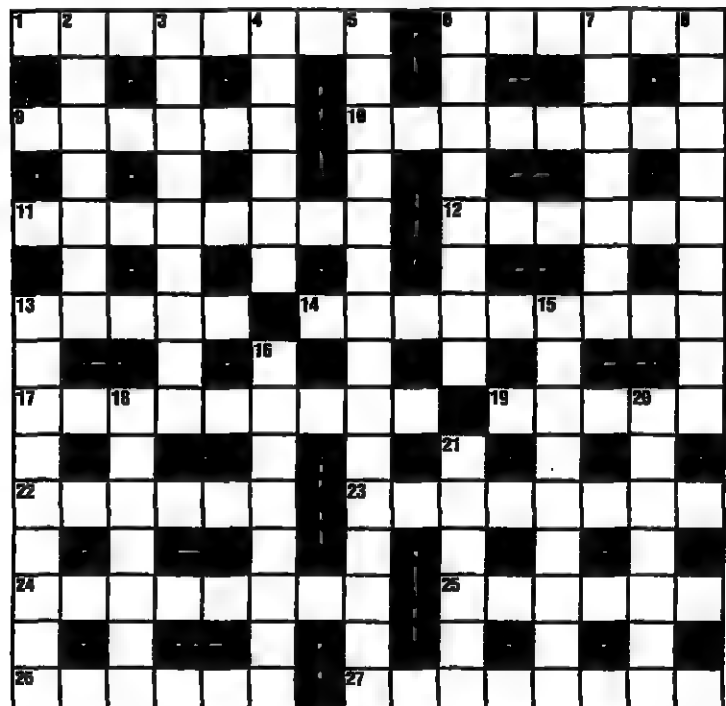
IN THE TIMES

FILM REVIEW
Geoff Brown on a Nineties incarnation of Mowgli and The Jungle Book

HUB CAP
Willie Newlands on why Lille has become Europe's real capital



THE TIMES CROSSWORD NO 19,779



ACROSS

- 1 Type of injury inflicted by a cat (8).
- 6 Dress circle for Septimus Harding, for example (6).
- 9 Selective shot — not close-up, say? (6).
- 10 Bit of a pickle as Henry leaves Hampshire resort (8).
- 11 Bloodsucker consuming doctor's capital (8).
- 12 Worker runs after retired poet (6).
- 13 Pelt out of Aldershot terminal (5).
- 14 Ugly girl has not finished with writer (9).
- 17 Wader about to sink, perhaps, in practical joke (9).
- 19 Chopin work — or Beethoven's third duet, perhaps? (5).
- 22 Pointer, perhaps — start chipping with a lofted club (6).

- 23 But does it give a hoot where it swoops? (5,3).
 - 24 Map-time theories worked out (8).
 - 25 *Dance des Lutins*, perhaps, giving offence (6).
 - 26 Excuse of former partner almost meaningless (6).
 - 27 Centre-half a positive goldmine (8).
- DOWN**
- 2 Round of applause unfashionable with alms (4,3).
 - 3 Nobody defeats quake disaster (9).
 - 4 Ingenious gold mounting in mine opening (6).
 - 5 Their inspectors all over the place make one tense (8,7).
 - 6 Torpid state of semi-repose under firm rug (8).
 - 7 Ironic, fault being reported here near Harrow (7).
 - 8 Jumpers' success in such a sale? (9).
 - 13 Target I have reduced, to be fair (9).
 - 15 Bill locks ladies in the Savoy, for example (9).
 - 16 Concern for profit (8).
 - 18 Intimate study record (7).
 - 20 One wasting time as a tail-end? (7).
 - 21 Brown coal does not start to burn (6).

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Times Two Crossword, page 48

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AA Roadwatch is charged at 35p per minute (cheap rate) and 45p per minute at all other times.

HIGHEST & LOWEST

Monday: Highest day temp: Bristol, 13C (55F); lowest day temp: Inverness, Grampian, 5C (41F); highest rainfall: Derby, Dyfed, 1.22in; highest sunshine: Clacton, Essex, 3.9h.

FORECAST

General: England and Wales will have clear or sunny spells, but blustery showers mostly in the west. Very windy, with strong to gale force southwesterlies, but mostly quite mild.

Scotland and Northern Ireland will have bright or sunny intervals, but also a lot of showers, some heavy or thundery. Northern Scotland and the Northern Isles will have rain at times. Very windy, with strong to gale force westerlies, perhaps severe gale in the far north. Temperatures near normal.

London, SE England, E Anglia, E Midlands, E Central N England, NE England, Borders, Edinburgh & Dundee, Aberdeen, Moray Firth: clear or sunny spells, a few showers. Wind strong, gusty southwesterly. Maximum temperature 10C (50F).

Central S England, SW England, NW England, W Midlands, Channel Isles, Wales: clear or sunny intervals. Showers, heavy at times. Wind strong southwesterly, gale force near exposed coasts. Max 9C (48F).

Lake District, Isle of Man, SW Scotland, NW Scotland, Glasgow, Central Highlands, Argyll, N Ireland: showers, heavy and thundery at times, and windy on hills. Wind strong to gale force westerly, severe gale in northwest Scotland at times. Max 7C (45F).

NE Scotland, Orkney, Shetland: cloudy with rain at times, some heavy. Wind strong to gale force westerly. Max 3C (37F).

Outlook for tomorrow and Friday: sunny spells and showers in the north, rain for a time in the south.

AROUND BRITAIN

Chelmsley	3.8	-	11	35	a
Colwyn Bay	3.9	0.22	11	35	a
Doncaster	3.9	0.05	11	35	a
Dumfries	4.0	0.02	12	54	r
Durham	4.0	-	11	35	a
Edinburgh	0.2	0.07	10	50	r
Edinburgh	0.2	0.03	9	48	r
Exeter	7.1	0.23	9	45	r
Falmouth	1.0	0.1	10	50	ch
Farnham	X	0.20	10	50	ch
Gloucester	8.8	0.47	10	50	ch
Gosport	0.5	0.0	10	50	ch
Glasgow	0.6	0.17	9	48	r
Gumby	0.2	0.30	11	32	sh
Hastings	0.7	0.17	10	50	ch
Hemel Hempstead	0.8	0.15	10	50	r
Herne Bay	X	0.01	11	52	sh
Hove	X	-	10	50	b
London	1.0	-	10	50	b
Manchester	X	-	10	50	b
Ilfracombe	X	-	10	50	b
Isle of Man	1.0	0.09	11	52	sh
Jersey	1.3	0.27	10	50	ch
Leamington	1.0	0.01	9	45	c
Leamington	0.8	0.26	11	52	r
Lewisham	3.8	0.08	9	45	b
Luton	0.3	0.1	10	50	ch
Lythampton	1.2	0.05	11	52	sh



MEDIA 37

What is the media's message for women?



ARTS 39-41

The Berlin Film Festival gets off to a slow start



SPORT 42-48

McColgan up and running for London Marathon

ASBESTOS:
A COMPANY'S
DUTY

Page 30

THE TIMES

BUSINESS EDITOR Lindsay Cook

WEDNESDAY FEBRUARY 15 1995

Trafalgar bid for Northern escapes MMC

By Martin Waller, Deputy City Editor

THE gloves are off in the first hostile takeover bid for a privatised utility company after Michael Heseltine, President of the Board of Trade, gave conditional clearance for the £1.2 billion bid by Trafalgar House for Northern Electric.

Northern, whose shares rocketed £1.10p to £10.81p on the news, is expected to defend itself this week by unveiling incentives for shareholders to remain loyal, including special dividends and share buy-backs. These could be worth well over £1 a share.

The Department of Trade and Industry announcement sparked sharp rises in the shares of other electricity companies, raised hopes of a wave of bids from other predators and brought condemnation from unions and Labour.

Yorkshire, where the 8 per

cent stake built by market-makers at Swiss Banking Corporation, Trafalgar's adviser, is regarded as a loose holding, jumped 73p to 884p. Hanson, which yesterday reported a further stage in its profits recovery, is touted as a possible bidder.

Among regional electricity companies to see their shares rise were Manweb in the North West, up 54p to 854p, Seaboard in the South East, up 28p to 463p, and South West Electricity, up 50p to 854p.

Mr Heseltine, in accordance with the views of the Office of Fair Trading, decided not to refer the offer to the Monopolies and Mergers Commission. A referral would have stalled the bid in a months-long inquiry. A DTI statement said that "Trafalgar House have given Mr Heseltine assurances to address the regu-

latory concerns" of Professor Stephen Littlechild at OfT, the regulator.

Mr Heseltine's decision has, however, flown in the face of advice from Professor Littlechild, who said "on balance" that a reference to the MMC would have been "beneficial".

Trafalgar, in helping Mr Heseltine reach his decision, has made various assurances: "Sufficient financial and management resources" would be made available to Northern under its ownership for it to function;

Professor Littlechild would be given any information he needs to carry out his regulatory functions;

The group will co-operate to ensure appropriate financial separation and independence for Northern;

It will ensure that Northern agrees to amendments to its licence.

Trafalgar and Professor Littlechild started talks over the necessary licence changes. Trafalgar says there will be no difficulty in reaching agreement with the regulator.

Under the bid timetable, Northern has until this Friday to put any relevant new financial information into a defence document, and that day is seen as the most likely for any shareholder incentives to be revealed. Trafalgar has another week to raise its offer, whose cash element, at £10.48, is well below the current Northern share price.

David Morris, chairman of Northern, welcomed a "firm" decision from the DTI, even though Northern had lobbied for a reference. He looked forward to showing shareholders the value of their investment.

Jack Cunningham, Shadow Trade Secretary, said that the decision was "deeply unsatisfactory", while Unison, Britain's largest union, said it was "open house for predators wanting to make a killing out of our electricity industry".

More palpable evidence of union and local anger could come today at an extraordinary meeting in Newcastle of shareholders in Northern to consider the relaxation, called for by Trafalgar, of a 15 per cent limit on ownership.

Pennington, page 27
Stock Market, page 28

Arise Sir Gavin and ...



... arise Sir Ronald



Sir Gavin Laird, General Secretary of the Amalgamated Electrical and Engineering Union (top), and Sir Ronald Hampel, chief executive of ICI, received knighthoods at an investiture held yesterday at Buckingham Palace

Judge awards Lloyd's names interim £210m

By Sarah Bagnall, Insurance Correspondent

A HIGH COURT judge yesterday ruled that more than 3,000 Lloyd's Gooda Walker names should receive £210 million as early payment of their damages awarded in last year's successful action. This is the biggest interim payment in English legal history.

The payment averages £68,500 per name, against an average loss of £200,000.

The judge, Mr Justice Phillips, has yet to rule on total damages names will receive. However, yesterday he said: "The likelihood is that substantially larger sums will be awarded than those that make up my interim payment order." The statement adds weight to the names' argument that the total award could be as high as £504 million, a figure ridiculed by the Lloyd's agents who suggested a sum as little as £37 million.

Michael Deeny, chairman of the Gooda Walker Action Group, said that he was delighted by the judgment, especially as interim awards are at a judge's discretion.

Mr Justice Phillips ordered that the errors and omissions insurers of the 71 Lloyd's agents found negligent in last

October's court action pay the £210 million within 14 days. The award, payment of which the E&O underwriters are expected to try to stall, will be divided among action group members in proportion to losses. Mr Deeny declared the award "great news for the names". He said: "Our losses at Lloyd's are inflicting terrible hardship on many members of the action group and this interim payment brings much closer the day they will finally obtain compensation."

Mr Justice Phillips, in handing down his judgment, said that the E&O underwriters will have to pay interest if they fail to meet the 14-day payment deadline. As an added bonus, he said that interest payments would come from the E&O insurers' pockets, rather than from the E&O cover. This is a disincentive for delaying payment as it is equal to an annual interest bill of more than £18 million.

Lloyd's has renewed its attempt for first claim on any litigation proceeds by seeking a court judgment on whether it can change the terms of names' premium trust deeds.

Poker game, page 29

Saatchi & Saatchi suing Maurice and Charles

SAATCHI & SAATCHI is suing Maurice and Charles Saatchi for up to \$40 million to block their plans for a rival advertising agency. Saatchi & Saatchi hopes to establish a claim over funds paid to the brothers and their private investment company, Hatzone, as a result of an investment in the Adidas sports goods group (Jon Ashworth writes).

The brothers received the money as settlement in a dispute with Robert Louis Dreyfus, former chief execu-

tive of Saatchi & Saatchi. He took a 15 per cent stake in Adidas in 1993 with financial backing from the Saatchis, but they later fell out over the ownership of share options.

The brothers were paid a "substantial" sum to settle the dispute — reportedly up to \$40 million. It has been speculated that the money is funding attempts to create a rival agency. Saatchi & Saatchi is expected to argue that the settlement was, in effect, payment for marketing work.

BUSINESS TODAY

STOCK MARKET INDICES

FT-SE 100	2071.3	(-9.8)
FT-SE 100	4.27%	
FT-SE 100	18138.47	(-175.39)
New York	3853.20	(-1.01)*
Dow Jones	481.27	(-0.38)*
S&P Composite		

US RATES

Federal Funds	8 1/8%	(8%)
Long Bond	7.64%	(7.67%)
Yield		

LONDON MONEY

3-month bill	8 1/8%	(8 1/8%)
6-month bill	8 1/8%	(8 1/8%)
12-month bill	8 1/8%	(8 1/8%)
101	(100 1/4)	

STERLING

New York	1.5575	(1.5581)
London	1.5575	(1.5581)
DM	2.3555	(2.3561)
FF	6.1710	(6.1710)
SP	1.9907	(1.9907)
Yen	153.80	(154.18)
£ index	78.3	(78.6)

US DOLLAR

London	1.5157	(1.5210)
DM	2.3446	(2.3509)
FF	6.1710	(6.1710)
SP	1.9907	(1.9907)
Yen	153.80	(154.18)
£ index	78.3	(78.6)

Tokyo close Yen 98.78

NORTH SEA OIL

Brent 15-day (Apr)	\$16.78	(\$16.78)
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WORLD

London close	\$97.86	(\$97.86)
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* denotes midday trading price

Building fall

Britain's construction industry saw new orders fall sharply last year as deep cuts in public spending on infrastructure and housing compounded falls in private sector investment. The biggest cut occurred in government spending on roads, railways and similar projects, which were 60 per cent down on 1993. Page 26

Share prices

Technical problems at our supplier of share prices mean that midday prices are shown apart from the closing figures given for the FT-SE 100 stocks in bold. We apologise. Page 30

Non-executives paid £14,400 for 15 days' work

By Philip Bassett, Industrial Editor

COMPANY non-executive board directors earn an average of £14,400 for 15 days' work a year, a survey of corporate pay will reveal today.

The latest findings on top executives' pay came a day after Sir Desmond Pichey, chairman of North West Water, gave evidence about his pay to the Commons' all-party Select Committee on Employment.

The survey, by the pay and benefits consultants Sedgwick Noble Lowndes, shows that the average figure for non-executive board members rises to £18,750 for 15 days in large organisations with more than £600 million turnover.

The study, of a sample of 311 non-executive directors in 102 companies, was completed this month. It shows that a typical non-executive director holds similar positions on four other management boards and 56 per cent also have a full-time job as

an executive director on the board of another company.

Non-executive chairmen earn an average of £33,750 for 30 days' contracted work, the survey shows, with an average figure for large companies as high as £57,000. Some 52 per cent of non-executive chairmen hold a full-time executive position on the board of another company.

About a third of non-executive directors' contracts are fixed-term, with three-quarters of those for three years. But rolling contracts are less common, with only 8 per cent of non-executives employed on that basis.

Andy Christie, SNL remuneration director, says: "On the whole, the fees earned by non-executive directors are roughly equivalent to the going rate for management consultancy services, although they can earn significantly more in large corporations."

Pound threatens record low

By Janet Bush, Economics Correspondent

THE pound could fall to its all-time low of DM2.3147 against the mark and beyond, currency economists predicted yesterday after a day in which concerted selling took sterling through long-standing technical support levels.

The currency traded at DM2.3575 late yesterday, well below the lowest point reached in 1994 of DM2.3710. Analysts said that the pound's situation was not yet a crisis but that a negative momentum, based on worries about the Government's problems, is building.

Some believe it is only a matter of time before sterling hits its all-time low, reached after the pound left the ERM.

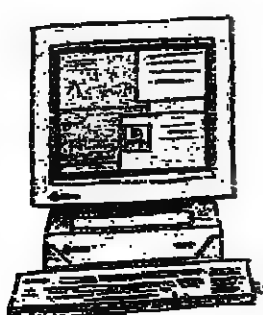
Citibank's forecast for this year predicted that the pound would reach a low of DM2.25, a prediction which had seemed overly pessimistic. Neil MacKinnon, Citibank's senior currency economist, said yesterday: "That looked radical at the time but now looks much more plausible."

Economists are also looking for the pound to weaken against the dollar, despite the

fact that the US currency is struggling itself. The dollar traded at 1.5610 against the pound late yesterday but some are looking for it to appreciate to 1.49. Rumours yesterday that the Bank of England had intervened in sterling's support were unconfirmed. However, the Bank has been more actively talking to currency rooms in the large banks recently in an attempt to ascertain the reasons behind sterling's weakness.

Pennington, page 27

MORSE



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AIB debts shrink and profits jump 16%

BY PATRICIA TEHAN
BANKING CORRESPONDENT

ALLIED IRISH BANKS, the Irish banking and financial services group, said a substantial improvement in its British operations and better performance in Ireland and America helped it to a 16.6 per cent rise in pre-tax profits to Ir£341.2 million last year.

Bad-debt provisions were significantly lower, falling from Ir£127.6 million to Ir£62.9 million. Tom Mulcahy, AIB's chief executive, said this reflected improvements in credit quality and recovery from recession in the UK and Ireland. Costs were reduced, with total operating expenses down 0.4 per cent to Ir£783.3 million and staff costs down by 2.5 per cent.

The total dividend rises 12.8 per cent to Ir£1p, with a Ir£4p final payment.

Profits in its AIB Bank division, which includes retail and commercial operations in the Irish Republic, Britain and Northern Ireland and Ark Life, its life assurance unit, were 27 per cent higher at Ir£187.5 million. Profits in the British operations were 150 per cent higher at Ir£39 million.

Lending growth in Ireland was 10 per cent higher, with particularly strong demand for home loans. In the US, the bank improved profits 25 per cent to Ir£109.5 million, helped by better credit quality in its First Maryland Bancorp arm and AIB New York.

TOURIST RATES

	Bank	Bank
Australia \$	2.30	8.00
Austria Sch	13.96	18.16
Belgium Fr	81.70	47.40
Canada C\$	2.30	2.12
Cyprus Cyp£	0.772	0.717
Denmark Kr	5.82	6.18
Finland Mk	7.84	7.18
France Fr	6.55	8.00
Germany DM	2.52	2.51
Greece Dr	362.00	367.00
Hong Kong \$	12.68	11.88
Ireland Ir£	1.06	0.87
Italy Lit	3,394.1	4,400.00
Japan Yen	165.00	162.00
Media	0.611	0.598
Netherlands Gld	2.908	2.575
Norway Kr	10.65	16
Portugal Esc	205.80	237.00
Spain Ptas	167.50	5.27
Sweden Kr	12.18	11.38
Switzerland Fr	2.13	1.86
Turkey Lira	166	620.00
USA \$	1.854	1.564

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to investment cheques. Rates as at close of trading yesterday.



Hugh Feeley, group general manager of Allied Irish Banks, left, and Neil Dean, chief finance officer

Spending cuts compound construction industry woes

BY ROSS TIEMAN
INDUSTRIAL CORRESPONDENT

BRITAIN'S construction industry saw new orders fall sharply last year as deep cuts in public spending on infrastructure and housing compounded falls in private sector investment.

The contraction, which accelerated sharply during the final quarter, was confirmed by official figures published yesterday. The biggest cut occurred in government spending on roads, railways and similar projects, which

was 60 per cent down on 1993.

The figures were described as "very disturbing" by Richard Horton, a spokesman for the Royal Institution of Chartered Surveyors. "Recent savage cuts in government spending are taking their toll," he said. "Even the private commercial sector, which for the last six months has been an area of hope for the industry, is showing signs of declining activity."

According to provisional figures from the Environment Department, the total volume of new orders received by the

construction industry was 21 per cent down in the final quarter of 1994, compared with the same months of 1993. For the year as a whole, orders, at £21.3 billion, were down 1 per cent in volume terms on the 1993 total.

Environment officials said there was a general decline across almost all sectors in the latter part of the year. New orders in the private housing sector fell 8 per cent between the second and third quarters to a level 4 per cent down, year on year. Public housing and housing association orders

were up 10 per cent in the last quarter, but down 22 per cent, year on year.

Infrastructure orders fell 13 per cent between the second and third quarters to a level 60 per cent below the same months of 1993, while private industrial orders fell 25 per cent in the final quarter of 1993 to a point 8 per cent lower than the previous year.

Even in the private commercial sector, orders fell 12 per cent during the final months of the year to close 9 per cent down, year on year.

The fall in infrastructure spending reflects the scale of government economies, and the failure of the much-vaunted Private Finance Initiative to take up the slack, let alone remedy shortcomings in Britain's transport system, schools and hospitals that have been highlighted by the Confederation of British Industry.

The slowdown in construction will add to widespread concern that - manufacturing apart - the recovery remains weak. Figures from the January Retail Trades survey of the CBI, published yesterday, showed sales in the shops little changed, year on year.

Mortgage lending slumps 19%

BY ROBERT MILLER

MORTGAGE lending slumped 19 per cent in January according to the latest Barclays Bank index.

The drop in monthly figures prompted Garry Skelton, head of Barclays' mortgages, to give a warning that "volatility in the housing market has undermined traditional seasonal patterns so levels of activity during the next few

months will be critical". In the year to January 31, lending rose 7.7 per cent.

On a regional basis, the North West "came down with a bump" in January, with a fall of 40 per cent on December's high.

Barclays said that this appeared to have been affected by a very specific downturn in the Liverpool area and that it

was too early to say whether "this change is a reflection of a change in the fortunes for the whole region".

Central and Greater London were the least affected, while Central England was down 24 per cent in January and East Anglia fell 28 per cent. Both areas, however, showed increases on the same period last year.

Insurance complaints reap £9.5m in rewards

BY ROBERT MILLER

CONSUMER complaints to the Insurance Ombudsman increased for the fifth consecutive year, with a record £9.5 million being paid in compensation last year.

The highest individual award, for £167,500, concerned the mismanagement of an investment bond and included a sum for lost interest. The lowest award, for £3, involved the cancellation of a motor policy in mid-term.

The largest category of complaints to Laurie Slade, the Insurance Ombudsman, concerned financial services disputes involving life, pensions and term assurance policies. Nearly 3,000 of the 8,500 cases referred to the ombudsman last year related to financial services. Of these, the selling practices of product providers was the greatest source of dissatisfaction.

Mr Slade, who succeeded Dr Julian Farrand last summer after he was appointed as the new Pensions Ombudsman, said: "The rules of the regulators only provide a minimum standard for product providers. They are looking for a sale harbour and feel that as long as they can put a tick beside each item on the rule check list they have done enough. But they should go much further than the minimum. Good faith is a mutual obligation for insurers as much as policyholders."

Of the 7,182 cases closed during the year, about 36 per cent were decided in favour of the policyholder, with 60 per cent of the insurers' decisions being upheld and 4 per cent being withdrawn.

The ombudsman revised the insurers' initial decision in favour of the policyholder in 36 per cent of cases. The reversal of the company's decision in life assurance and investment disputes rose 3 percentage points to 42 per cent.

The ombudsman said that he had stopped processing complaints relating to pension transfers and opt-outs from occupational schemes until further guidelines had been issued by the regulators.

The most common complaints over general insurance concerned motor policies, with 1,123 complaints, and household policies, with 1,695 complaints.

American retail sales show modest rise

US RETAIL sales rose modestly in January, the Commerce Department said yesterday, an eighth straight monthly rise despite a dip in demand for new cars. Total retail sales were up 0.2 per cent to a seasonally adjusted \$193.2 billion after a sharply revised 0.2 per cent gain in December that previously was reported as a 0.1 per cent decline. Sales by new car dealers fell 0.6 per cent in January after a 0.2 per cent December gain. It was the first decline in the key category since a 1 per cent fall last July, officials said.

New cars account for about a fifth of total retail sales, so swings in demand strongly affect the overall monthly figures. Excluding autos, retail sales were up 0.4 per cent in January and rose 0.1 per cent in December. The last time overall retail sales fell was last April. They were flat in May and then began rising in an unbroken string in June. There were reports that auto-dealer inventories were on the rise in January and more dealers began offering discounts, a sign that consumer demand might be starting to weaken.

Court order on FMI

THE Securities and Investments Board, the chief City regulator, has obtained a High Court order appointing the Official Receiver, Michael Pugh, as provisional liquidator of Financial Management International (FMI) pending an SIB petition for the compulsory winding up of the company. Financial Management International, which was authorised to hold client money, was ordered last month to stop taking any further investment business by Fimbra, its regulator. FMI's creditors are meeting in the City today at Poppleton & Appleby, insolvency practitioners, to consider a creditors' voluntary liquidation.

Buffet buys Amex stake

AMERICAN EXPRESS said that Warren Buffett has bought nearly 10 per cent of the financial services giant, sending its stock sharply higher. Through Berkshire Hathaway, his holding company and its subsidiaries, Mr Buffett has acquired 9.8 per cent of American Express and indicated he would seek clearance from government regulators to buy more, the company said. An investment by Mr Buffett, who also owns stakes in Coca-Cola, Salomon Brothers, Wells Fargo & Co. and USAir Group, is viewed as a stamp of approval on Wall Street.

Brent crude exchange

THE International Petroleum Exchange in London and the Singapore International Monetary Exchange (Simex) are to launch a mutual offset system for trading Brent crude futures on June 9, it was announced yesterday. Under the arrangement, each contract worth 1,000 barrels of crude oil can be bought or sold in London and Singapore during an extended 18-hour period and positions can be opened and closed on either exchange. Elizabeth Sam, chairman of Simex, said that the agreement would assist in the development of the energy futures market in Asia.

Volatility hits TR

TR PACIFIC Investment Trust blamed stock market volatility in the Far East last month for wiping £20 million off the value of the £140 million trust. For all of 1994, however, the trust's gross revenue rose to £2.8 million against £2.3 million in 1993. Net assets per share fell by 13.8 per cent from £21.2p to 18.4p. Michael Watt, TR Pacific's manager, said the poor performance of most Far East markets was offset by a high level of investment in the better performing markets of South Korea and Taiwan and a 50 per cent reduction in exposure to Hong Kong. The net dividend was maintained at 0.175p a share.

Cost of foreign bids

EXPENDITURE on acquisitions overseas by UK companies in the final three months of 1994 rose to £5.5 billion, the highest quarterly total since the third quarter of 1989, according to figures compiled by the Central Statistical Office. For the year as a whole, UK companies spent £15.1 billion, the highest annual figure since 1989, although the number of deals in 1994 was lower than in previous years. Expenditure on acquisitions in the UK by overseas companies slightly increased in value to £4.4 billion, compared with £1.2 billion in the third quarter.

Watertight warning



OFWAT, the water industry regulator, plans new measures to ensure that diversification by water utilities into other businesses does not harm the core water and sewerage activities. Ian Byatt, left, Director-General of OFWAT, said: "I do not have statutory powers to involve myself in company activities outside the core business... (but companies) are under a duty to me to ringfence the appointed water and sewerage businesses."

THE TIM
□ THREE at the Secretary and Industry by Trafalgar would refer to Mergers less Trafalgar talk turkey adverse effects Three and a few things, ha Secretary of St a far grander j has a new crew several financ adverse effe quisation turni on its own bud The President Trade has now through a railf cant Trafalgar bid, hostile or privatised utin to talk turkey, agreement with regulator whos in this case be But the emi turned around, debate on publi rightness or oth ship of such a British industry have been opene purchaser, a pre by the leap in sh other regional c less pronounced their water woun Flip back thr

Reu
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REUTERS HOLDING international financial information and trading warned shareholders to expect a report on what Peter Job, chief executive, called "national" performance. The outlook, however, the price of the shares closed at 48p. Reuters reported earnings of 25p per share in the first quarter to December 31, a 21.7p and turnover revenue from 27p per share. "It'll be difficult on this in terms of Mr Job said. Mr Job's earnings well, his basic pay was by 32 per cent in 1994. A 50 per cent increase in his basic pay package, including options, to £150,000. Mr Job threatened noting that some pe

Peter Job, chief

Cellnet
to grow
by £700m

CELLNET is to spend £700 million on expanding its digital network over the next three years. The investment, one of the £300 million it spent on the fledgling vice, is aimed at challenging Vodafone's lead in the digital market. It will be funded entirely from Cellnet's own cash flow, a spokesman said. Cellnet, owned by British Telecom and urcor, claims to have the largest analogue network. But only 20,000 of its million subscribers use digital service. Vodafone's 1.6m million customers use digital mobile phones. Cellnet's £700 million will buy 1,400 digital handsets, more than Vodafone has 1,500 and plans to have 3,500 by the end of 1995.

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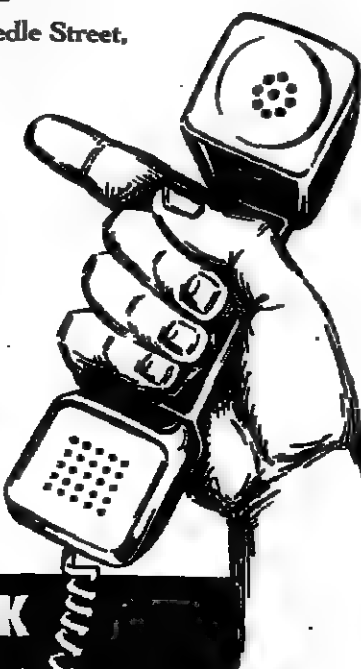
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IT PAYS TO TALK



PIA urged to issue board statement

BY ROBERT MILLER

LABOUR PARTY officials and the Consumers' Association attacked the Personal Investment Authority (PIA) for not issuing a statement after the regulator held a critical board meeting yesterday to discuss personal pensions mis-selling.

The PIA is due to issue detailed guidance on how pension providers should review the hundreds of thousands of cases where people were wrongly advised to transfer out of occupational schemes and into personal pension plans. The pensions industry faces a possible bill of £3 billion in compensation and costs.

Alistair Darling, Labour's City Affairs spokesman, said: "It is disgraceful that the PIA has still not issued any clear guidelines after so many

months. If the board has made decisions then they should make them public.

"They are supposed to be acting in the interest of consumers, not the pensions companies," Kate Scrivens, head of the money group at the Consumers' Association, said. "Hundreds of thousands of people are concerned that they may have been given the wrong pensions advice. Now they face even further delays before their cases can even begin to be considered."

A PIA spokesman said: "A number of decisions were made at the board meeting, but there will be no announcement." He added that the regulator intended to issue a statement "in the middle of next week".

City exile can stay in Moscow

FROM RICHARD BEGINTON
IN MOSCOW

A BRITISH businessman wanted for questioning by City of London police over an attempted fraud is living and working in Moscow and has been given permission to stay in Russia for another year.

Andrew Stuart Rooke, the former operations manager at Bayerische Landesbank Girozentrale (BLG), appears to be under little threat of extradition, in spite of a request made through Interpol for his return to Britain.

Mr Rooke, who it has been alleged attempted to defraud

his former employers of £1 million, was expelled by the Securities and Futures Authority, fined £20,000 and ordered to pay costs of £5,000 for "blatant dishonesty".

His case was forwarded to the City of London police who have sought the assistance of the Russian authorities. There is no extradition agreement between Britain and Russia, although a number of foreigners on the run have recently been caught and deported.

A visit to Mr Rooke's DRM Consulting company yesterday revealed that he is operating as normal in the Russian capital, where he is

still regarded as a respectable businessman. He has installed his offices in a ground floor suite in one of the most prestigious buildings in central Moscow, 10 Shchuseva Street, where the former Soviet leaders Leonid Brezhnev and Konstantin Chernenko once lived.

His Russian staff confirmed that he was in Moscow working as usual but that he refused to be interviewed. "Mr Rooke does not want to say anything at the moment," his assistant said.

Mr Rooke was employed as the financial manager of the luxury Radisson Slavjanskaya Hotel, a joint Russian-American venture. When details of the British investigation be-

came known he was given the choice of returning to London to defend himself or of resigning his post. He resigned his job this summer but was nevertheless kept on as a financial consultant by the hotel's acting director, Umar Dzhabrailov, who secured a new work permit for him which runs to March 1996.

Business associates of Mr Rooke's said that they were surprised by the allegations that had been made against him. "He is articulate," said Russell Wycoff, a public relations consultant who worked with Mr Rooke at the hotel. "He is very polished, very intelligent, he has a high financial education and sells that to people."

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□ History lesson for Northern □ Fighting shy of the "feel-bad" factor □ Waging war over low pay

A game of monopoly

THREE and a half years ago the Secretary of State for Trade and Industry intervened in a bid by Trafalgar House, saying he would refer to the Monopolies and Mergers Commission unless Trafalgar was prepared to talk turkey and remedy the adverse effects of the acquisition. Three and a half years later, a few things have changed. The Secretary of State's successor has a far grander job title. Trafalgar has a new crew at the helm after several financial collapses, the "adverse effects" of that acquisition turning out to be mostly on its own balance sheet.

The President of the Board of Trade has now decided to allow through a rather more significant Trafalgar deal — the first bid, hostile or otherwise, for a privatised utility. Trafalgar has to talk turkey again and reach agreement with an industry regulator whose own advice has in this case been ignored.

But the emphasis has been turned around. There will be no debate on public policy, on the rightness or otherwise of ownership of such a crucial part of British industry. The floodgates have been opened for any outside purchaser, a prospect recognised by the leap in share prices for the other regional companies and a less pronounced advance for their water counterparts.

Flip back three and a half

years. Trafalgar stumbled initially in its purchase of Davy Corporation because of the problem of "the provision of large diameter bored piling in the UK".

Fast-forward to today, and it is clear that the provision of power to factories, hospitals, schools and homes is a rather more trivial matter than that of bored piling. The regulator, Professor Littlechild, is now left to pick up the pieces and obtain what concessions he can.

Trafalgar has what it wants and does not need to bargain too hard. Northern can still be operated as a see-through business with the necessary transparency of accounts to allow Professor Littlechild to include it in his periodic price reviews. Northern shareholders, those not sufficiently unnerved by the uncertainty to have sold out, will get in cash four and a third times what they paid for their shares on privatisation if the bid succeeds at this level. They may well hold out for more.

If the professor and Trafalgar cannot reach agreement, he can still refer the whole matter to the

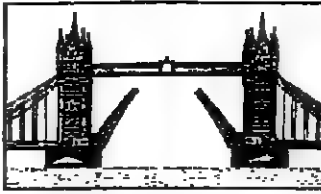
MMC. Whether Trafalgar will have won by that time, and just what would happen then, is unclear. The DTI (for reasons one can only speculate on — back-bench pressure? The desire to punish unpopular power chiefs by taking their businesses away? Other murkier political motives?) has ducked the opportunity of a debate on a matter of vital public importance. Mr Heseltine was on Northern's home patch before the weekend. He showed an admirable sense of self-preservation in choosing to leave the area well before making yesterday's announcement.

Rate rise not politic

THE markets widely assumed yesterday that the Bank of England would recommend even higher interest rates to defend the pound if it continues to slide. But the case for 1980s-style exchange rate management through monetary tightening has been discredited.

The Bank has learned from the

PENNINGTON



debate of sterling's departure from the exchange-rate mechanism that there is not a high enough level of rates or an effective amount of intervention which will prevent a currency from sliding if that is what the markets want.

Memories of White Wednesday are fresh enough for the Bank not to indulge in any such hopeless brinkmanship with the markets and Eddie George has stressed repeatedly since autumn 1992 that a stable exchange rate happens because of stable economic conditions, not the other way around. Free-floating is in fashion.

The Bank is also sophisticated enough to know that sterling's woes are political, not economic.

Raising rates purely to defend the pound in the current atmosphere could be dangerously counterproductive. The Bank's markets team has been sounding out dealing rooms around the City to check the reasons for sterling's woes and the answer has been resounding: politics.

A rise in base rates would only exacerbate these political concerns because it would turn a lack of "feel-good" into full-blown "feel-bad". That in turn would undermine the pound. In addition, higher rates risk unbalancing the recovery to no effect. Higher rates would hit domestic demand which is already weakening and have little effect on the tradeable part of the economy where any incipient inflation is showing up.

Even on inflation grounds, a sliding pound does not send a simple signal. Most crucial is its rate against the dollar because of the effect this would have on dollar-denominated commodity prices. This week's producer input prices figures highlighted the threat of imported inflation.

But so far sterling's weakness has been most pronounced

against the mark. As long as the dollar struggles as much as the pound, the Bank may not feel too concerned.

Generating minimum light

THE minimum wage debate is not generating much light on either side. The Labour Party, dedicated to cutting unemployment, cannot square it with the inevitable fall in demand that a rise in low-end wages would bring. Instead, it has tacitly dropped the ambition of bringing in a national minimum high enough to alleviate poverty significantly. Indeed, a universal floor would have to be too low to help many in low-paid services because it would also cover industries just hanging on against competition from low-wage developing countries. If it were decently high, it would either compress differentials and incentives to train or push up the whole wage structure, leading to much bigger job losses.

In his new IEA pamphlet, *The Minimum Wage: no way to help*

the poor, Deepak Lal neatly exposes such weaknesses and the subtle case that he sees as atavistic impulses dressed up as "nirvana economics". But he falls into a different trap. He argues that, if the free market delivers wages that society considers too low, it is more economically efficient to subsidise the incomes of the poor. Yet free market economists rail equally, and more justly, against the economic evils of the permanently high tax burden this second-best solution entails.

The pragmatic test for low-level minimum wages is whether they allow the tax burden to be cut. Free market economists also fail to explain why, if a free labour market delivers the best economic results, they reckon it can only work efficiently with a pool of unemployed.

Charitable trading

A GATHERING of big City names has agreed to donate a fixed sum for every bargain recorded on Topic on Red Nose Day, and other charitably minded firms are likely to follow suit, since this is also a smart way of boosting the stock market's lamentable trading volumes. All Comic Relief needs are company bosses to donate some of their share options. That at least would prevent some red face days.

Reuters warns of leaner times after fat profits

By ERIC REGULY

REUTERS HOLDINGS, the international financial information and trading group, warned shareholders not to expect a repeat this year of what Peter Job, the chief executive, called an "exceptional" performance in 1994.

The outlook shaved 8p off the price of the shares, which closed at 438.5p.

Reuters reported pre-tax earnings of £510 million, up 16 per cent, in the financial year to December 31. Earnings per share climbed 20 per cent to 21.7p and turnover, including revenue from last year's acquisitions, rose 23 per cent to £2.31 billion.

"It'll be difficult to improve on this in terms of growth," Mr Job said.

Mr Job's earnings rose as well. His basic pay was boosted by 32 per cent, to £400,000, in 1994. A 50 per cent performance bonus took his total pay package, excluding share options, to £600,000.

Mr Job defended his salary, noting that earnings per share

are up 58 per cent since he took the job in 1991. His pay was set by a remuneration committee of outside directors.

Reuters is less optimistic about 1995 partly because of turmoil in certain financial markets, such as Mexico's, which may have some effect on clients' purchasing decisions.

However, Mr Job did not predict a dramatic decline in orders and he said sales of some products had been strong recently. Information-management systems have been especially buoyant.

Reuters reported double-digit growth in all three of its main business areas, transaction and dealing products, information and media.

Insinet, the electronic brokerage that operates in North America, Europe and Asia, and the Dealing 2000 products for foreign exchange, recorded the strongest growth in the transactions division.

Not all divisions are profit-

able. Quotron, the screen-based price information system that Reuters purchased from Citicorp of New York last year, is still posting losses and will not break even for two more years.

Mr Job said another share buyback — the last was in late 1993 — was unlikely even though the company was flush with cash.

Reuters finished the year with £534 million in its till, in spite of spending £125 million on acquisitions, an increase of £84 million over the previous year.

The company wants to sink the money in its existing businesses and possibly additional acquisitions. It would like to develop different revenue streams, such as business-information systems for corporations, but will not buy unrelated businesses.

Reuters is increasing its final dividend by 23 per cent, to 8p.

Tempos, page 28



Peter Job, chief executive, described last year's performance as exceptional

Cellnet to grow by £700m

CELLNET is to spend £700 million on expanding its digital network over the next three years (Eric Reguly writes).

The investment, on top of the £300 million it has spent on the fledgling service, is aimed at challenging Vodafone's lead in the digital market. It will be funded entirely from cash flow, a spokesman said.

Cellnet, owned by British Telecom and Securicor, claims to have the largest analogue network. But only 20,000 of its 1.61 million subscribers use its digital service. Vodafone says that about 130,000 of its 1.68 million customers use digital mobile phones.

Cellnet's £700 million will buy 1,400 digital base stations, more than doubling capacity. Vodafone has 1,700 and plans to have 3,500 by the end of 1996.

Chemicals fuel Hanson's leap

By NEIL BENNETT, DEPUTY BUSINESS EDITOR

SURGING prices in the chemicals industry helped Hanson, the acquisitive industrial conglomerate, to lift profits by 58 per cent, to £272 million, in the three months to December 31. Profits last time were held back by the strike at several of Hanson's American coal mines, which cost £66 million. Derek Bonham, Hanson's chief executive, said, however, that virtually all of the group's business had reported better profits and that Quantum, the chemicals business bought in 1992, had shown "outstanding performance".

The only businesses that failed to improve profits were Suburban Propane, in the US, whose sales suffered due to a mild start to the winter, and Cavenham, the forest products subsidiary, with profits static after a strong rise earlier.

Imperial Tobacco, Hanson's cigarette subsidiary, traded

strongly as wholesalers stocked up on cigarettes after the two Budgets in November. Overall, the group's turnover rose by 10 per cent, to £3.2 billion. The quarterly dividend is held at 3p, due on April 6. Earnings per share rose by 60 per cent, to 4p.

Mr Bonham warned investors that the group did not expect to sustain the rate of growth for the rest of the year because the recovery of many businesses was beginning to slow down. "But, with generally improved volumes and margins, the outlook is extremely positive," he said.

The group has been suggested as a possible bidder for an electricity company, since Trafalgar House bid for Northern Electric, but yesterday a Hanson spokesman refused to comment on acquisition plans.

Tempos, page 28

Embattled Warburg gets a senior new recruit

SG WARBURG yesterday made its first high-profile appointment since it was plunged into crisis last week with the departure of key staff and the resignation at the weekend of Lord Cairns, its chief executive, (Patricia Tehan writes).

John Holmes, until last week head of

sales at Credit Lyonnais Laing, is joining Warburg with the same job title.

Sir David Scholey, chairman of Warburg, who on Monday cancelled his retirement and took over the chief executive's role, is heading a new investment banking executive committee

of five. The committee met yesterday to discuss how to revise the Warburg strategy to present a viable policy for the future.

Mr Holmes was formerly head of equities at Morgan Grenfell, though the business was closed down, and held the same post at Morgan Stanley.

He takes over from joint heads James Leigh Pemberton, who left to join CSEB, and George Pilkington, who remains in equity sales.

Meanwhile, David Burnett, an SG Warburg troubleshooter, has emerged as a front runner for a place on the firm's board in June.

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Electrical storm could follow Trafalgar ruling

IT LOOKS AS though open season has finally been declared among the electricity distributors after the Department of Trade and Industry's decision to allow the £1.2 billion bid from Trafalgar House for Northern Electric to proceed.

The speculators now expect other bids to follow in the sector as some of the big industrial companies begin flexing their financial muscle.

Yorkshire, 73p higher at 884p, is favourite within the Square Mile to receive the next bid approach and with good reason. Swiss Bank Corporation, which is acting as adviser to Trafalgar, has already established an 8 per cent holding in the shares. Hanson is seen as the most likely suitor.

All this speculation was not lost on the other Recs which enjoyed a sharp mark-up before closing below their best of the day, but still boasting double figure gains. East Midlands closed 23p higher at 789p, Eastern was 26p higher at 730p, London 32p at 761p, Manweb 54p at 854p, Midlands 43p at 802p, Norweb 44p at 857p, Seaboard 28p at 463p, South West 46p at 869p, South Wales 50p at 849p, and Southern 37p at 775p.

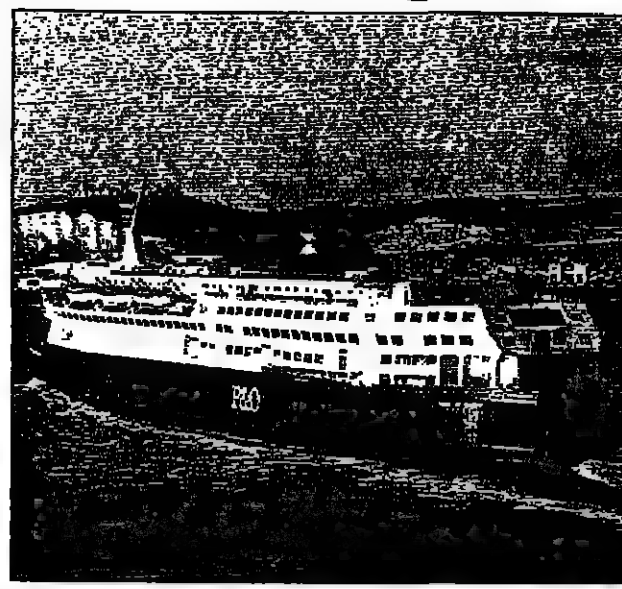
Shares of Northern Electric reacted with a leap of 12p to £10.87 to news of the clearance by the DTI.

The department made its decision after receiving advice from the Office of Fair Trading and obtaining assurances from Trafalgar that it will accept regulatory concerns of the Director General of Electricity Supply.

Northern continued to urge shareholders to reject the bid from Trafalgar and claimed it would be issuing some important news soon. David Morris, the chairman, told shareholders he looked forward to demonstrating the value of their investment.

It seems the gloves are ready to come off as Northern strives to retain its independence. Brokers are convinced that Trafalgar will be forced to increase its terms if it remains committed to winning the day. Trafalgar rose 3p to 69p.

Worries about inflation and the possibility of another rise in interest rates continued to hold back the rest of the equity market. Fund managers were in a cautious mood ahead of today's inflation and unemployment numbers as well as



P&O shares dipped as Eurotunnel unveiled new tariffs

being unsettled by renewed weakness in the pound. Leading shares opened lower worried by the latest CBI distributive trades survey.

After trading in narrow limits for much of the day, the FT-SE 100 index finished 9.8 points down at 3,071.3. By contrast the FT-SE index of 250 shares rose 16.7 at 3,462 reflecting the activity among

British Data Management continued to nudge towards its year's high with a rise of 3p to 201p amid whispers of a bid. Speculators are talking of an agreed bid of 250p a share from rival Hays, unchanged at 298p. Word is one sizeable shareholder has already indicated interest in an offer.

the utilities. Turnover improved to 710 million shares. One casualty of the current investor apathy is Albright & Wilson, the chemical company, which returns to the stock market any day. Its financial advisers yesterday slashed the offer price from 170p to 150p.

Cross-Channel operators appear to be drifting towards an all-out price war after

that the shares were 10 per cent overvalued.

Profit-taking left BP 6p cheaper at 420p after the group weighed in with a bumper rise in full-year figures and a rise in the final quarter dividend.

Signs of a slowdown in growth left Reuters 8p off at 439p. Pre-tax profits last year climbed 16 per cent to £510 million but the company said that revenue growth would be slower in 1995.

A better than expected first-quarter performance from Hanson lifted the shares 1 1/2p to 244p. Pre-tax profits were 58 per cent up at £272 million after a strong performance from its Quantum chemicals business. However, chief executive Derek Bonham was quick to make the point that the group would not maintain this sort of growth throughout the rest of the year.

Sutcliffe Speakman tumbled 10p to 17p after it gave warning that profits for the full year would be significantly below expectations. Brokers had forecast a final outcome of £1.6 million against £1.1 million last time. The group's carbon operation has been hit by a volatile market and supply shortages of certain base materials, while its Croshaw division has been hurt by contract delays.

GILT-EDGED: Gilts attracted a few cheap buyers first thing in the belief that the previous day's selling had been overdone. But investor enthusiasm continued to be held back by worries about inflation and further rises in interest rates. There was also a certain amount of caution ahead of today's inflation figures.

The Bank of England has confirmed plans to issue £2 billion of Treasury 8 1/2 per cent 2005 at the next auction. In the futures pit, the March series of the long gilt firmed £1 1/2 to £101 as 65,500 contracts were completed. Among conventional issues, Treasury 8 per cent 2013 hardened a couple of ticks to £94 1/2, while in shorts, Treasury 8 per cent 2000 was unchanged at £97 1/2.

NEW YORK: Wall Street shares gave up their modest gains by midday and were in a holding pattern ahead of important January figures due tomorrow, analysts said. The Dow Jones industrial average was 1.01 points behind at 3,953.2.

MAJOR INDICES

New York (midday):	
Dow Jones	9553.20 (+1.01)
S&P Composite	481.27 (+0.38)
Tokyo:	
Nikkei Average	18138.47 (+175.59)
Hong Kong:	
Hang Seng	7862.67 (+112.15)
Amsterdam:	
EOE Index	4139.97 (+4.78)
Sydney:	
DAX	1834.8 (+1.15)
Frankfurt:	
DAX	2133.24 (+16.29)
Singapore:	
SEAC	2089.07 (+4.05)
Brussels:	
General	7099.96 (+4.11)
Paris:	
CAC-40	1886.09 (+5.78)
Zurich:	
SMI Gen	633.70 (+0.70)
London:	
FT 100	2334.7 (-9.8)
FT 250	3071.3 (-9.8)
FTSE Mid 250	3462.0 (+16.7)
FTSE Europe 100	1345.14 (+2.20)
FT A-All-Share	N/A
FT Non Financials	2032.0 (+0.48)
FT Gold Mines	2032.0 (+0.48)
FT Food & Bev	109.92 (+0.22)
FT Govt Secs	90.66 (+0.05)
Barrings	23517
SEAQ Volume	147.89 (+0.34)
USM (Zaner)	1.5568 (+0.0078)
German Mark	2.3602 (+0.0018)
Exchange Index	78.3 (+0.5)
Bank of England official rate	6.00%
ECU	1.2465
ESPR	1.2628
RPI	146.0 Dec (2.9%) Jan 1997-100

RECENT ISSUES

Roths (10)	134
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Natl Home Lns n/p (110)	110

MAJOR CHANGES

RISKS:	
Lloyds	588p (+12p)
Whitbread	534p (+5p)
GKN	584p (+8p)
Unilever	1180p (+10p)
Reckitt & Colman	852p (+7p)
General Accident	548p (+5p)
THORNTON	1081p (+1p)
SmithKline	406p (+11p)
Zeneca	803p (+11p)
SG Warburg	710p (+4p)
FALLS:	
HSBC	651p (-13p)
B&CE	280p (-5p)
Canada	240p (-5p)
Redland	440p (-5p)
ICI	723p (-11p)
Inchcape	294p (-8p)
BAT	448p (-8p)
GEC	283p (-5p)
Shell	584p (-5p)
Bank of America	584p (-5p)
Pearson	727p (-5p)
Read Int	737p (-2p)
J Sainsbury	419p (-3p)
Boots	481p (-3p)
Reuters	438p (-8p)
BP	419p (-7p)
Ajo Wiggins	226p (-8p)
MEPC	388p (-4p)

Major Changes are closing prices

TEMPUS

Job's worth it

REUTERS' financial achievements give the group the self-confidence to tackle even the thorny issue of executive pay head-on. There are not many companies these days that would brazenly announce a 32 per cent pay rise for their chief executive in their preliminary statement. Most would hope to bury it in the annual report. Then again, there are not many company chiefs who can point to 58 per cent growth in earnings in four years to justify a 60 per cent rise in their pay.

The curse of successful companies is that financial markets always demand even greater achievements. The City has grown accustomed to the rapid growth of its chief information provider and was profoundly unimpressed by the 23 per cent rise in Reuters' revenues.

Admittedly, the group's operating margins

slipped by 0.4 of a percentage point, but that was almost inevitable after the group bought the self-challenged businesses such as Telnetron and Quotron last year. The growth of Instinet, the equity dealing service that many questioned at its launch, is now so rapid that its margins are suffering.

Reuters was wise to warn the market that its growth may slow this year. Its revenues are linked to the volatile cycles in the financial markets, lagging behind them by perhaps a year. As investment banks cut their capital spending and lay off staff, Reuters' revenues will suffer. That cyclicality is becoming more pronounced as Reuters' transaction products expand. However, the group's core markets are still growing long-term, and Reuters shows no sign of relinquishing market leadership.

B Steel/GKN

THE City has been waiting at least four years for GKN to sell its stake in UES to British Steel, ever since GKN declared that it wanted to pull out of metal manufacturing. The business was too cyclical for GKN's liking and had little to do with the rest of its engineering and industrial services businesses.

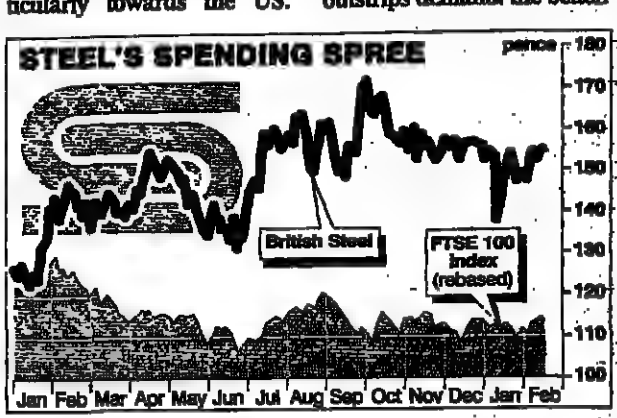
In the event, the price that GKN has received is barely respectable, at a 39 per cent discount to net assets. The company is likely to make at least £30 million this year, so the exit p/e multiple barely scrapes into double figures.

However, GKN knew from the start that there was only one feasible buyer for the stake, so British Steel could dictate terms. GKN feels relieved that it was able to offload the stake at any price before the next economic downturn.

The outcome is the last

STEEL'S SPENDING SPREE

With negligible gearing, British Steel has the scope for this and much more. It seems particularly keen on further investment in south and south-east Asia, for example. Such expansion should be welcomed by investors since it reduces the group's exposure to subsidised European markets. The faster it does that, before European output once again outstrips demand, the better.



Hanson

FIRST-QUARTER results from Hanson are rarely informative. No balance sheet, no breakdown of the businesses, and only a couple of paragraphs of a trading statement. Investors must draw their own conclusions.

What was clear yesterday was that the headline result of a 58 per cent growth in profits was flattered by a series of one-off events. Last year's profits were held back by the strike at Peabody's coal mines which cost £66 million. This year's earnings were boosted by perhaps £12 million from the twin budgets which softened the cigarette trade.

Underlying growth looks closer to 10 per cent. More than half was generated by Quantum Chemical, thanks to the storming rise in polyethylene prices in the past six months. Few industries have recovered as dramatically from the recession as chemi-

cal.

The retained earnings from the quarter should have pushed Hanson's gearing below 50 per cent, and the company is already back in the thick of takeover gossip. Hanson's name is repeatedly linked with Yorkshire Electricity. This would improve its domestic earnings base, but leave the company beholden to a regulator. In the past, Hanson has always done what was least expected, and there is no reason why it should conform to market wisdom now.

BP

HIGH in the war-torn Caucasus Mountains lies the key to BP's future. With the gradual fall-off in North Sea production, BP and its kind must look elsewhere for growth.

The group confirmed yesterday its robust recovery. BP has laid out comfortable financial targets for 1996, but the question remains which

international opportunities

the group will use its resources to pursue.

David Simon, the chief executive, emphasises that even with oil prices expected in the \$16-\$18 a barrel range, no project would be approved for development unless it worked at \$14 a barrel. He also rules out a dash for growth saying the aim was to "live in a deflating world rather than an inflating one".

BP needs to spend \$3.5 billion a year just to maintain itself and aims to spend between \$4 billion and \$4.5 billion this year. Favourite projects appear to be a chemicals plant in China and retail opportunities in Eastern Europe. Negotiations over the oil field in the Caspian Sea, however, remain dogged by frequent changes of Russian plans. The pipeline to get the oil out of it, it seems, go almost anywhere.

EDITED BY NEIL BENNETT

COMMODITY EXCHANGE

Commodity	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

CRUDE OILS (London & NY)

Crude Oil	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

PRODUCTS (London & NY)

Product	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

MEAT & LIVESTOCK COMMISSION

Meat/Livestock	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

WHEAT & GRAIN FUTURES

Wheat/Grain	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

BARLEY & RYE FUTURES

Barley/Rye	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

POWDER & RICE FUTURES

Powder/Rice	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

COFFEE & SUGAR FUTURES

Coffee/Sugar	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

FT-SE 100

FT-SE 100	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

FT-SE 250

FT-SE 250	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

Three Month Sterling

Three Month Sterling	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

Long Gilt

Long Gilt	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

Japanese Govt Bond

Japanese Govt Bond	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

German Govt Bond

German Govt Bond	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

Three Month ECU

Three Month ECU	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

ROGIE: Fixed Rate Sterling

ROGIE: Fixed Rate Sterling	Price	Change
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	
Mar 100-1000	1078-1080	
Jul 100-1000	1078-1080	
Dec 100-1000	1078-1080	

Italian Govt

THE TIMES

CITY DIARY

Life after Warburgs

THEY go from Warburgs. They arrive at Warburgs. And there is life after Warburgs. From Northumbria comes news of Simon Hayes, who left Warburg's Tokyo office last November, where for three years he was head of research, and who has re-emerged in his native England, pursuing his passion for genealogy. Hayes, rated number one in the *Excel* survey while at James Capel in the years 1986-90, has so far traced the family roots back to 1680. Hayes recounts that he left Warburgs after "a clash over the management succession". The genealogist adds: "As other senior Warburg staff might say, I am happily spending more time with the family".

Leaving ABN

MORE musical chairs in the City include the departure from ABN Amro of Gary Tiersman, 31, head of the four-person proprietary trading division. The division carries on, the broker says.

Sun forever

THE sun will never set on English Trust, the corporate finance and investment management adviser, which today will announce the formation of an Indo-Asian division at its London office that will sweep the sub-continent, the Far East and China.



On the mend

CITY friends will be pleased to learn that Lord Weir is making a steady recovery after an horrific car crash outside Glasgow last September which left him with various broken limbs. He is managing at least one day a week at Weir's head office, and has been to board meetings at BICC, where he is deputy chairman. Much to the annoyance of the partridge, Lord Weir has even been shooting — "but from a sedentary position", he adds.

New post

JOHN HARGREAVES, once a Shell man, and latterly the corporate finance director (planning) at Barclays Bank, has a new post. He has joined strategic management consultants, The Cobra Group, in charge of risk management. Hargreaves, finance director and company secretary for three years at London Underground, says "I still travel by Tube. But now I have to pay full fare".

Laphroaig award

READERS are reminded that a case of Laphroaig ten-year-old malt whisky given by Allied Distillers is on offer each month, at our discretion, to the source of the most informative/entertaining/newsworthy City Diary item published. Our latest award goes to Leslie James Smith who recently retired after 51 years in the City from private client broker Brewin Dolphin. In all his years in the Square Mile, Smith insisted his name was spelt with two "f"s. Laphroaig should help Mr Smith see how to spell.

COLIN CAMPBELL

Poker game will determine future of divided Lloyd's

An out-of-court settlement of legal actions now looks the only way out, says Sarah Bagnall

THE future of Lloyd's of London is being determined by a game of poker. The key players — names, Lloyd's ruling council and the errors and omissions insurers — are playing their cards close to their chests, and are desperately trying to guess the hands of their opponents. The stakes are high — either Lloyd's and the insurers reach a negotiated settlement within the thousands of litigating names or the 306-year-old insurance market's future is in doubt.

More than 17,000 names are suing a mass of Lloyd's agencies to try to recover more than £3 billion of insurance losses. The settlement is no longer just a desirable outcome for Lloyd's. It is a necessity. Lloyd's has a solvency problem, and an out-of-court settlement of the mass of legal actions looks like the only way out. It has taken months for Lloyd's top brass to stop masquerading as claims and admit that there could be a problem with the society's financial security. David Rowland, Lloyd's chairman, when confronted with the issue by MPs last week, admitted as much.

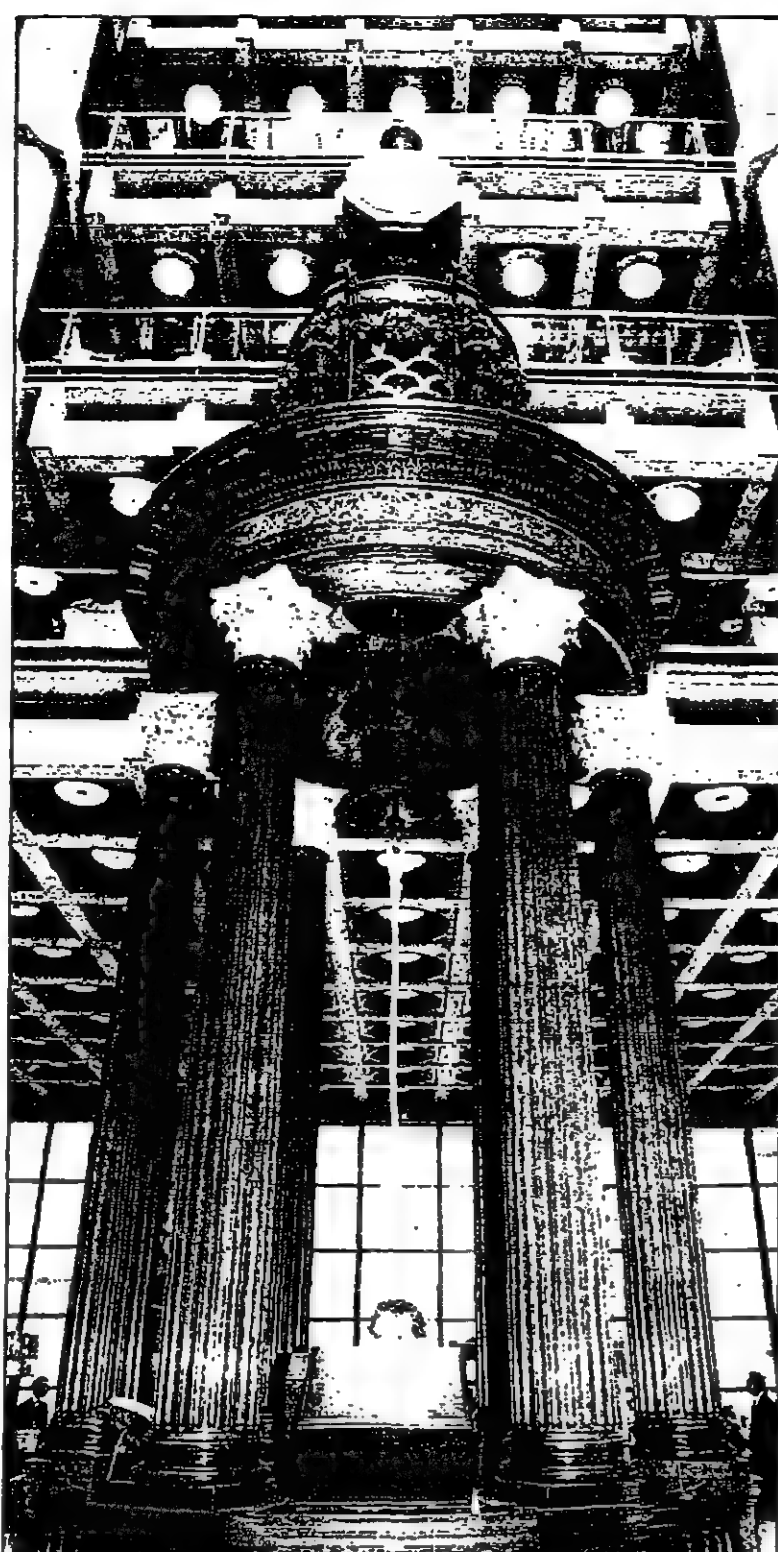
Each autumn, Lloyd's has to pass two Department of Trade and Industry solvency tests. The first — assets against projected claims — is the easier of the two, and little doubt exists over Lloyd's ability to pass it. The second, harder one, is conducted at a name's level. Each name has to show that their underwriting assets at Lloyd's are sufficient to meet their underwriting liabilities. It is this second test that Mr Rowland admits is troublesome.

The cynics suggest that Lloyd's only succeeded in passing this test last year because the DTI allowed Lloyd's to include as assets £600 million that had been reserved twice to cover E&O claims. The rumour is that the DTI is reconsidering this position. A settlement would have the benefit of naturally unwinding this and other so-called "double counts", easing the strain on solvency.

This May, Lloyd's is set to reveal yet another round of losses — estimates of which are creeping steadily towards the £1.5 billion mark. There is a further £2 billion of uncalled losses from previous years — payment of which is doubtful, given names' new-found reluctance to part with any more cash. On top, there is £830 million that names have refused to pay up.

The names' hopes of receiving a sizeable offer have been buoyed in recent months by last year's High Court victory by the Gooda Walker Action Group. The action group estimates that this success is worth £504 million, of which £210 million must, a High Court judge ruled yesterday, be paid within 14 days.

Lloyd's is now in the throes of trying to broker a deal between the names



The Lutine Bell at Lloyd's, the 306-year-old insurance market now at risk

and the E&O insurers, who provided the cover for the agencies being sued. It is Lloyd's second attempt. The first offer of £900 million was overwhelmingly rejected in February 1993, partly because some action groups believed they would receive more from the courts. This is a possibility, given the £210 million interim payment awarded yesterday to the Gooda Walker Action Group, compared to its £220 million share of the last £900 million offer.

The main reason that the offer foundered was because it failed to offer names finality. They would receive a certain sum of money and hand over their rights to litigation without knowing what the future held. For the

thousands of names who insured asbestos and pollution risks, there was no doubt that the future held years of crippling losses, but the extent of these debts was not quantifiable. The lack of any "cap" on their future losses was unacceptable.

The poker players' hands are not known — nor are their game plans — but there is no shortage of guessing and conjecture. The jockeying for position, the adeptly placed word in the right ear at the right time, is likely to continue for a couple more weeks and then the cards are due to be laid out on the table. Until then, no detailed negotiations can begin.

The E&O insurers are said to have

given Lloyd's a glimpse of their hands. Don Carey, representing the lead E&O underwriters, flew in from South Africa for a high-level meeting with Lloyd's last Friday. The meeting, on the 12th floor of the Lloyd's building, was said to include a discussion on how much the insurers and reinsurers would be willing to contribute towards the offer. Although no details are known, the names' camp believes that the contribution could be as high as £1 billion. The E&O insurers offered about £400 million towards the last offer — an amount ridiculed by names as being way short of the estimated £1.2 billion of insurance cover available to meet litigants' successful legal actions.

The contribution is likely to significantly exceed the £400 million because, since the first offer, the Gooda Walker action group has won its court action, although the ruling is being appealed against. As a result of the judgment, the insurers have been able to turn to their reinsurers and encourage them to join the settlement party, bolstering the pot.

Meanwhile, Lloyd's of London is busy doing its sums to ascertain how much it can contribute towards the offer — and, most importantly, whether it can structure the resulting deal to include a cap.

The last offer included £400 million from the Lloyd's central fund, but no consensus is emerging as to what Lloyd's ruling council will agree to provide this time round. It is believed, however, that a decision will be reached in the next couple of weeks.

Peter Middleton, Lloyd's chief executive, has met each of the 44 action groups — individually — to discuss what their needs and desires are. The answer he received over and over was "We want a cap". This demand is causing a rumour within Lloyd's.

The ruling council is divided. Some council members think that a cap is pointless because it effectively already exists as names' assets are limited. Furthermore, the growing incidence of names' refusal to pay their debts means that a natural cap is emerging. Others argue that the council has to be realistic and accept that others may be let off the hook in spite of the fact that they themselves have had to pay all their losses.

The council also has to decide whether the offer should be extended to non-litigants, who were included in the first offer. It increasingly looks unlikely that this will be the case in the second offer. Lloyd's is considering splitting the offer in two — making an initial offer to names on spiral syndicates, followed later by a separate offer to long-tail names. This would be timed to coincide with the setting up of Equitas, a reinsurance company being established to take over the liabilities of policies written in 1985 and before.

In reality, the negotiations have yet to start. The players are at the table and the cards have been dealt, but the game has yet to commence. Names argue that the offer would have to be in the region of £1.5 billion to be acceptable and would have to include a cap. It is now a question of how the protagonists play their hands.



ANTHONY HARRIS

Earthquake shocks in Broadgate

What, you may ask, has the Kobe earthquake possibly got to do with it? If Warburg was the only international bank in trouble, Lord Cairns would provide no more than a tragic anecdote: ambitious institution leaps for a high crag, misses, and falls. In fact, Warburg has much prestigious company. News, rumour or credit downfalls affect many major houses. Even the London clearers warn, as they announce sharply increased profits thanks to lower provisions, of hard pounding.

Meanwhile, Sumitomo has become the first of the major Japanese banks to come clean, or at least cleaner, about past losses: some \$3 billion of new provisions have wiped out its whole earnings; the Japanese authorities judge that their system is now strong enough to start revealing what it really lost in the bubble economy. The corresponding losses in New York and London are now history, but the recovery has bred its own follies in bonds, short yen positions, and now emerging markets. And it is now becoming apparent that all these disasters are interconnected, part of a general disruption in the global market — one which the earthquake may well prolong.

The Tokyo crash provided the initial shock: it so undermined Japanese financial self-confidence that the orderly export of Japanese capital to world markets, necessary to finance the Japanese current account surplus, became hesitant and then virtually stopped. By 1993, the US and Britain, both in large current account deficit, had become the main world sources of long-term international capital. These flows, on top of their deficits, could only be financed by massive short-term borrowing; or in the old language of British crises, massive exposure to hot money.

If this had taken the form of foreign deposits in New York and London, the alarm bells might have sounded; but in fact the money percolated through many largely invisible channels — commercial credit, additions to official dollar reserves, and most important, massive yen borrowing by English-speaking institutions. The banks and funds saw the "over-valued" yen, available at commercial rates of about 2 per cent, as an irresistible bargain. In 1993, they collectively borrowed \$120 billion in Tokyo. Then, a year ago, the yen started to rise still higher, and these yen debts looked anything but cheap. It was this yen shock, William Sterling of Merrill Lynch argues in the current *International Economy*, which set off the bond débacle. As soon as rates started to rise, funds which had financed bond portfolios with yen loans were losing on both sides of their book, and started to scramble for safety. Now the Kobe earthquake will force the Japanese Government to borrow an extra \$100 billion that might otherwise have refreshed world markets.

Whatever its particular troubles (probably mainly in bonds), Warburg can thus be seen in a global context of financial fragility. There is still more bad news for a London bank in the current sterling mini-crisis. (This can probably also be traced to Tokyo.) The English-speaking banks, and especially the investment banks and funds, are again paying the price of risk exposure. In the 1980s, it was property and sovereign risk; this time the main exposures are in interest rates and exchange rates. Folly is a constant.

Why do they do it? Basically, because they are trying to turn a windfall into a way of life. The huge profits generated by deregulation and the Reagan bull market have become built into inflated salaries and shareholder expectations. But the tides which generated the profits have now turned unpredictable, and the bankers are rediscovering the oldest financial truth: high returns are only available where the risk is high.

Key people must be kept, says Patricia Tehan

Scholey has to win Warburg battle for hearts and minds

THE challenge facing Sir David Scholey, now chairman and chief executive of SG Warburg, is to change the bank's image, both internally and publicly, from weakness to strength.

The sudden resignation of Lord Cairns, the chief executive, illustrated the depth of the crisis. Much of the problem was of Warburg's own making, though the timing of the crisis was particularly cruel since it was forced to issue its second profit warning in four months yesterday.

Investment banks worldwide suffered last year after turmoil in world equity and bond markets. The bulk of Warburg's profits in its first six months came from its fund management business, the 75 per cent-owned Mercury Asset Management, and the second-half picture will be the same.

Low volumes and dealing losses have driven many firms, including Warburg, to

embark on rigorous cost-reduction programmes, which mostly mean job cuts.

Investment banking is a people business. So according to a Warburg spokesman, Sir David spent most of Monday talking to staff, walking the trading floors, listening to what the people were saying. Few remember having spotted him on the floor before and one insider said it was remarkable to hear his voice booming over the loudspeaker, "making asinine comments about the need to pull together as a team".

In an internal staff memo, Sir David made no bones about the scale of the task in hand. He said that in order to secure its position among the world's major investment banking and asset management groups, the bank needed to regain its "old habits of rigorous quality and cost control and of total commitment to providing clients with prod-

ucts and services that they need".

In a rallying cry to the troops he told them that they were "a team of very high calibre and commitment" and called on them to mobilise their maximum energy and determination.

Although recognising that investment banking is a cyclical business, Sir David must quickly take some difficult decisions about where to swing the axe. Analysts estimate the bank must make savings of about £70 million.

In 1993 Warburg spent a lot on building up a global securities business. Now it faces spending huge sums cutting back. The US and Japan are thought to be big targets, though Warburg said yesterday that it was committed to both markets. It has already pulled out of the eurobond business, with the loss of 180 jobs. One obvious target for

further cuts would be its equities distribution business.

Sir David and the four members of his new investment banking executive committee have to try to keep their best staff at a time of extremely low profitability. Morgan Grenfell, which is building up an equities operation in London by acquiring people and teams, has its Deutsche Bank parent's chequebook at its disposal. Last week it poached Maurice Thompson and Michael Cohrs, the co-heads of equity syndication and two of Warburg's key staff, along with eight of their 30-strong team.

Warburg has a March year end. Bonuses are paid in May and the bank is starting negotiations with its investment banking and securities staff about bonuses. It is likely to have to guarantee bonus payments for staff it has identified as crucial.

The sector analysts and salesmen likely to be a target for Morgan Grenfell are in a strong bargaining position — it could be disastrous for Warburg to lose its property, financials or telecoms teams. The bank will have to match what is on offer from the opposition.

A hostile bid for Warburg is out of the question. In this business, if the people leave, the clients go with them.

Sir David must identify a clear strategy. He probably has until Warburg's results are announced in May before he needs to demonstrate the effectiveness of this week's management changes in full, but he must give a flavour of his strategy to staff, shareholders and corporate clients soon.



Warburg faces more staff going the same way as the Broadgate sculpture *Rush Hour*



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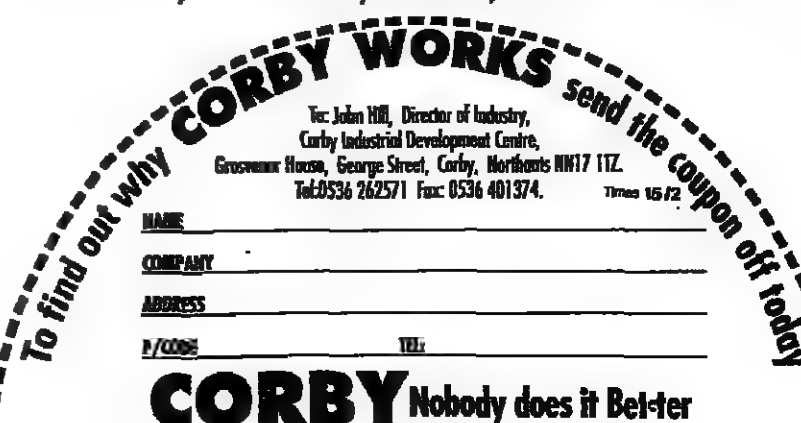
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UNIT TRUST PRICES 31

UNIT TRUST PRICES 31

Manufacturers given help to make investment decisions

By PHILIP BASSETT
INDUSTRIAL EDITOR

THE Government, industry and the banks will today launch a joint initiative aimed at improving manufacturing companies' ability to raise finance for investment.

The move is a unique joint effort by all the investment parties, stemming from the Government's White Paper on competitiveness launched by Michael Heseltine, the President of the Board of Trade.

Ministers, industry leaders and bankers — including Eddie George, Bank of England

Governor — today launch a guide primarily for small manufacturing companies, with a turnover of between £1 million and £10 million, and designed to bridge what ministers call the "understanding gap" between these firms and potential investors.

The guide, drawn up by a working group including Treasury and Department of Trade and Industry officials, together with the CBI, EEF engineering employers and the MTTA machine tool trade body, plus bankers and financiers, is aimed at helping industry to make sound investment decisions, select the most appropriate financial

package and prepare fund applications which maximise chances of success.

Tim Eggar, Industry Minister, will disclose today that up to two thirds of manufacturers' proposals put to banks, and finance and leasing firms, are rejected as of too poor a quality to allow for evaluation.

Urging industry to adopt new practices, he will say: "The message from lenders is clear: if they can see that a business is sound, able to evaluate investment opportunities and will be improved by the proposed investment then they will lend."

Mr George welcomes the DTI's "Money

and Machines" initiative: "I hope it will contribute to a better understanding between those who supply finance and those who use it to improve the productive capacity of our economy."

Stuart White, chairman of the British Bankers' Association small firms sub-committee, says: "The process of evaluating capital investment will not only help companies to check that the investment proposal has been properly prepared, but will also provide a good basis for persuading financiers to provide the correct level of support."

John Parsons, chairman of the CBI's

smaller firms council, says: "Access to finance is a key issue for many growth-oriented manufacturing small and medium-sized enterprises. However, lack of experience in planning capital finance and preparing financial applications can seriously reduce success rates."

The working group behind today's report has been careful not to make it an attack on banks or small businesses. It rejects the charge that the guide is aimed only at the investment margin, but accepts the importance of a stable macroeconomic environment and low inflation and interest rates.

Courtaulds sells fabric business

Courtaulds, the chemicals group, is selling its performance fabrics business in Lancashire in two deals.

The Tygaffor business, which supplies high-performance fabrics coated with non-stick polymers, is to be sold to Chemfab Corporation of the US, for £9.7 million. Fothergill Engineering Fabrics, which specialises in technical textiles for thermal protection, is being sold to private investors for an undisclosed sum thought to be less than Tygaffor's price.

Courtaulds said that the two businesses, with combined turnover of £16 million in the year to March 31, were peripheral to its main fibre operations.

Unit diversifies

Unit Group, the maker of industrial pallets, is diversifying into property. It is to buy a portfolio of properties in the South-East for £6.25 million and to acquire Simberg, which owns shops in Glasgow, Dundee and Elgin. Unit is paying £500,000 for Simberg and repaying debt of £600,000. It is raising £1.19 million via a two-for-seven rights issue at 39p, and seeks to join the main stock market from the Unlisted Securities Market.

St Modwen up

St Modwen Properties, the property investment and development company, is lifting its total dividend to 1.6p, from 1p, with a 10p final, after pre-tax profits rose to £13.2 million, from £3.5 million, in the year to November 30. Profits included a £3.8 million surplus from selling the Ocean shopping centre, Burton upon Trent. Earnings per share rose to 9.2p (2.2p) and net assets to 49p (39p).

Howard ahead

Howard Holdings, the property developer and plant hire company, lifted taxable profits to £104,213 from £37,370 in its half year to October 31, in spite of turnover slipping to £2.7 million (£3 million). There is again no interim dividend. Earnings per share rose to 0.4p (0.14p).

Sage to grow

Sage Group, the computer software company, expects to create 200 jobs in a £4 million investment plan, expanding its offices in Newcastle upon Tyne for its staff.

Expansion for British Steel with £93m buy

By ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

BRITISH STEEL is extending its expansion into the higher-value end of steel production by buying out its partner in UES Holdings, Britain's leading specialist steelmaker.

For £93 million in cash, Britain's dominant steelmaker will acquire the 36.1 per cent share in the engineering steels manufacturer held by GKN, the industrial conglomerate.

The long-awaited move caps six months of rapid-fire investment announcements by British Steel positions itself to exploit an accelerating global recovery in steel demand and prices. It brings to £411 million the amount of cash it has committed to expansion since last September.

UES was established in 1986 during the final phase of the government-sponsored Phoenix programme to rationalise Britain's steel industry. It brought together the special steels business of the state-owned British Steel with the steel alloys and forgings business of GKN, which was formerly an independent steelmaker.

Caught by recession, it underwent severe rationalisation. After three years of losses, the second half of last year brought a rapid profit recovery. During the year to December 31 1994, UES achieved pre-tax profits of £18.2 million on sales of £658 million, of which £272 million was exported. A second half profit of £20.5 million compared with a modest first half loss.

UES has net cash balances of £28 million and net assets of

£425 million. GKN will be obliged to make a net exceptional charge in its 1994 accounts of £20.5 million to reflect a £59.6 million loss on the sale of its £153 million investment in UES.

With 6,500 employees spread across a dozen sites, UES is a substantial business. It produces about 1.25 million tonnes of steel a year. Added to almost 13 million tonnes last year produced by British Steel by the basic oxygen process, that will take British Steel's share of the total United Kingdom steel production from about 75 per cent to some 83 per cent.

The UES steel division has big steel making plants at Totherham and Stocksbridge in Yorkshire, and re-rolling operations at Thrybergh, Yorkshire; Cable Street, Wolverhampton and Tinsley Park, Sheffield.

The forgings division supplies components, mainly to the automotive industry, from Bromsgrove, Kidderminster, Lincoln and Ayr. Products include automotive crankshafts and aerospace forgings.

The Bright Bar division manufactures and distributes from Roundwood, Sheffield, Wednesbury and Tipton. All the existing operations are expected to continue.

In spite of British Steel's domination of UK production, the Monopolies and Mergers Commission is expected to conclude that it will face adequate competition from other producers. *Tempus*, page 28



Tim Dunningham, managing director, left, and Walter Goldsmith took the wraps off a 65 per cent profit rise and a bigger dividend

Business is blooming at Flying Flowers

BUSINESS is blooming at Flying Flowers, the direct mail florist based in Jersey, which yesterday unveiled a 65 per cent rise in profits (Susan Gilchrist writes). The company, which specialises in carnations rather than red roses, again chose Saint Valentine's Day to announce full-year results.

Pre-tax profits jumped to £1.8 million (£1.1 million) in the year to December 30, boosted by the acquisition of DPA Direct last March. Walter Goldsmith, chairman, said disappointing sales from Mother's Day had been offset by a buoyant Christmas. The final dividend is lifted to 2.0p (1.35p) making a total payout of 2.95p (1.35p).

Apart from a £47.6 million loss at its oil and gas division, caused by a £96 million loss on a pioneering project in Norway's Troll oilfield, Kvaerner, owner of the Govan shipyard on the Clyde, reported higher profits in shipbuilding, its most profitable division, as well as pulp, mechanical engineering and shipping.

Kvaerner dividend lifted but profits fall

By COLIN NARBROUGH

SHIPBUILDING, which encompasses yards in Europe and the Far East, lifted profits to £114 million from £97 million in 1993. Govan is back in the black, but Kvaerner remains concerned about the relatively low productivity at the yard. The group employs about 4,000 people in Britain.

However, the speech, to CBI members in the South-East, will stop well short of announcing specific measures to curb road use. Instead, it will throw the question open to the business community to come up with solutions.

Two weeks ago, the CBI accused the Government of granting the Green lobby excessive influence over government policy at the expense of business interests. It was alarmed by the findings of the Royal Commission, which called for a doubling of the price of petrol and spending on roads to be halved.

In its report on national transport policy, *Missing Links*, the CBI said called for more investment in new roads and an improvement in rail services.

Minister preaches Green word to CBI

By JONATHAN PRYNN, TRANSPORT CORRESPONDENT

BRIAN MAWHINNEY, the Transport Secretary, will today warn business that it cannot afford to ignore the environmental damage caused by ever increasing road use.

In a keynote speech to the Confederation of British Industry, he will also make clear his commitment to respond to last year's Royal Commission on Environmental Pollution, which concluded that further large-scale road building in Britain was unsustainable.

However, the speech, to CBI members in the South-East, will stop well short of announcing specific measures to curb road use. Instead, it will throw the question open to the business community to come up with solutions.

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Threat to BT and Mercury grows in Scotland

By ERIC REGULY

SCOTTISH Power will continue its evolution next month when it takes on BT and Mercury with the launch of ScottishTelecom. The commercial telecommunications service differs from other emerging telecoms players in that it is building its own trunk and local-loop networks; eventually, it will not have to rely on BT to complete domestic calls.

The trunk-line system is similar to the one developed by Energis in England and Wales. Energis, owned by the National Grid, created a national network on the cheap by hanging fibre-optic cable from its electricity pylons.

ScottishTel has done the same, using ScottishPower's pylons.

Providing the local loop was equally simple because ScottishPower runs electricity cables into customer homes and businesses. All ScottishTel had to do was run fibre-optic lines along existing electricity ducts.

ScottishTel spent £30 million in 1994 to create its network, and plans to invest another £15 million this year, offering cut-rate prices to attract business customers. Scottish Nuclear, the Glasgow City Council, Abbey National and TeleWest cable are among the believers so far.

It intends to attack the residential market about two years. The cable companies, which have licences to offer both video and telephony services, are likely partners on the home front.

Rod Matthews, ScottishTel's chief executive, said the company's goal is to capture about 20 per cent of the Scottish market by the end of the decade. "It has got to be around that sort of number, or it doesn't make sense," he said.

Some observers think ScottishTel will have a hard time evolving beyond fringe status. They note that BT, in spite of its size, is proving to be an agile competitor. Recent statistics show that BT, 11 years after it was privatised and four years after the BT-Mercury duopoly was broken, still accounts for 88 per cent of the industry's turnover. BT is guarding its business

customers especially carefully. David Miller, finance director of General Cable, said: "What ScottishTel is doing is exactly what Mercury did: they are trying to cream off the top of the business market because it's the most lucrative. But the business market is exactly where BT is cutting."

BT has been offering special incentives to keep existing business customers, and lure others. But it has one big competitive disadvantage. Under its licence, it cannot offer regional pricing.

If ScottishTel reduces its rates, BT cannot match them unless it offers the same prices across the whole country.

There are one or two about the London vocal faculty's prowess. Muscovite's rustic *Fair at Sorochinsk* in Russian (three English editions exist). Perhaps downhearted at the prospects here, are all apply for jobs in Russia. Houses not having been things are even worse. Their mentors should be helping them sing the gauge to audiences who would of course be too banal a course of action.

Doubtless regular aud RCM are all fluent in Russian. They should warn any outsiders that they will thin time of it, especially.



Thinking big: Brian Moffat, chairman of British Steel

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Fabulous opportunity for a capable, outgoing and bright PA with plenty of initiative to work with a dynamic Director of this well established firm of Human Resource Consultants. Your role will be extremely varied with plenty of face to face client liaison as you will be the prime point of contact at all times. Your organisational skills will be challenged on a daily basis as you put together business development activities and prepare proposals. An intelligent Secretary with an eye for detail and experienced presentation typing skills (windows and graphics exp.) is essential as you will be expected to produce first class proposals. If you are a socially confident, friendly and professional Secretary who is looking to expand your present secretarial role by working in a truly service orientated company then please call Victoria Wall on 071 225 1888.

VICTORIA WALL ASSOCIATES

WA £22,000

"PROACTIVE PA"

Can you take the initiative? Are you proactive and highly organised? Are you a strong and confident communicator? If so, then this may be the job for you. The dynamic Partner of this successful US firm urgently needs a bright, switched on and self motivated Assistant to work with her. The schedule is hectic and the clients are high powered so she needs someone to coordinate her every move and to manage the projects she works on. The offices are fabulous and the people there are sociable and friendly. If you are A-Level educated with first class secretarial skills and a solid career history then call Sarah Williams to hear more on 071 225 1888.

VICTORIA WALL ASSOCIATES

WA £18,500 + Bkg Bens

"INTERNATIONAL MARKETING"

Working as Senior Secretary to the charming MD of a busy city based Marketing Department, your responsibilities will include organising meetings, itineraries and trips to the Middle East and Europe, in addition to extensive liaison with a multinational client group. The successful candidate will be able to use their excellent shorthand and typing skills to take dictation and prepare presentations using word for word. If you have at least 3 years secretarial experience, are well spoken and have the desire to work in a friendly team environment for a company that will reward you exceptionally well, then please call Claire Hawker on 071 225 1888.

VICTORIA WALL ASSOCIATES

Personal Assistant for Management Team

City

The Management Team of an international bank requires a Personal Assistant with good knowledge and understanding of the structural design of a LAN (OS/2). You must have good organisational and computer skills (WP 5.1, Lotus 1-2-3, AS/400) and in co-operation with the Deputy General Manager, General Manager and his Secretary you will participate in Management's various tasks.

You must be well spoken and have good written English language. Shorthand is an advantage, but not a requirement. A background within EDP and query skills will be appreciated.

The job -

- Participate in implementing office automation,
- Typing of minutes, letters, memos, etc. from shorthand, dictaphone and drafts.
- Contact to relevant offices in Head Office
- Plan and arrange meetings, lunches and travels, incl. ticket booking etc.

Working hours 08.00am - 4.00pm in non-smoking City office.

This is a very interesting opportunity for an energetic individual who would like to work a lot, learn a lot, and develop at a rapid pace.

Please apply in writing to: Box No 3673, C/O The Times Newspapers, 1 Virginia Street, London E9L 9BL.

No Agencies

sigma

BRANCH SECRETARY

Required for busy office of a market leader in the Contract Security Industry.

You will have Word Perfect 5.1 experience, be able to type at 50wpm, have an outgoing manner and the ability to diversify and work as a team member.

Salary: £19K plus usual big company benefits.

Apply in writing to: Mr D Hayes, Sigma Security Limited, 19 Doughty Street, London WC1N 2PL.

WA £18,000 + Paid O.T. & Banking Bens

STOCKBROKERS SALES/ TRADING ASSISTANT

This position involves supporting a team of 18 on the trading floor. Non-stop working dealing with client enquiries, acting as a focal point for all client administration in the division. This is a very varied and extremely demanding department with a very young and extremely demanding department with a very strong personality. You must be calm, confident and a very strong communicator. Secretarial skills a must. Call Emily Aldrich on 0171 588 8999. Fax on 0171 588 8998.

Aldrich - Recruitment Consultants

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Aldrich - Recruitment Consultants

Crème de la Crème

appears every Monday, Wednesday and Thursday

SALES ADMINISTRATOR

Required within Putney based expanding U.K. office of an international organization.

The role involves responsibility for office and sales administration - answering telephone, post, filing, VAT and enquiry/ order processing.

Together with secretarial duties (WORD 5.2/Word Perfect) in running a busy client portfolio. We offer a challenging position for a dynamic and self-motivated person. 25+ Salary etc. negotiable (£17K).

Please send your CV to Mr. J. Murr, c/o Recruitment Ltd, 30 Abchurch Lane, 116 Putney Bridge Rd, London SW15 2ND.

No calls or agencies please.

The complete suit will w the answer summing that the what time did B ional commercial ceive its first call Dave was hus wished to say- understand why St Valentine's Day there was a mass- right?

At this point, 26 life of Talk Radio saying about nob broke by under intelligence of the flashed into my m there probably are video generation yesterday was massacre in the sa man who came mountain with the ments was called C

Is te

ARCHITECT could become

For five years, the same if Britain better build must have more archi competitors. Yet, no are the competitors way that once of "I heard on every side

At Cardiff there was

that a publicly ann winner was forced to anew against other Even though Zaha Ha now been returned ner, the three local op to her plans for the ne house looks set to com Windsor Castle, mea the levers are up in because their designs h been given full an, wh side the chosen archi tem. Rodrick's graduat just held the over re "Salon de Refusés" at Workers' Guild in Lom

In one sense, this is a pretable, a real squabbling river camp for the Foreign Office Law Courts in the City, which eventually the whole system disintegrate. In another however, it is a real archi time and late

Yet the scale of the to grow as both the National Library and demand more and more petitioners. Another law says: "In Britain, it is invited to enter the petitions in the past. Suddenly, it is made up eight in the past. The number of petitions is

The cost of a number of petitions is crippling a good archi model can cost to m £20,000. On the usual to pay for this a Britain this

THERE are one or two about the London vocal faculty's prowess. Muscovite's rustic *Fair at Sorochinsk* in Russian (three English editions exist). Perhaps downhearted at the prospects here, are all apply for jobs in Russia. Houses not having been things are even worse. Their mentors should be helping them sing the gauge to audiences who would of course be too banal a course of action.

Doubtless regular aud RCM are all fluent in Russian. They should warn any outsiders that they will thin time of it, especially.

TIPPETT F

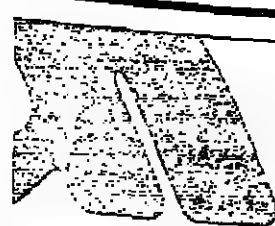
Son Shal

MUSIC for Shakespeare contrasted with music school celebration in at of the early-evening grammes at St Giles, Cate, associated with Barbican's Tippett Festival. The Nash Ensemble was duced by Andrew P who, with Roger Savag vised a new sequence incidental music and that Tippett wrote for duction of *The Tempest*: Old Vic in 1962 - now a title *To the Elements*

These works come the end of the play, a "tricky spirit" lines mostly serve to music, which includ three Songs for Arie Tippett published set They were sung wit and grace by the tenor

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PA £27-30K

The dynamic head of global operations at this high profile 'AAA' rated Investment Bank requires a high calibre PA to run the diverse aspects of his business life. This new position based on the edge of their equity trading floor requires a bright, pro-active, professional, senior PA with strong City experience.

The successful candidate will be responsible for a wide range of crucial functions, including: Recruitment, appointments, training and will at all times work as an ambassador for the bank. Candidates should only apply if they are seeking a role with investment, pressure, and the possibility of foreign travel. Send CV to: Angela Mortimer Plc is an equal opportunities employer. All applications are positively welcomed.

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£18,000 - £19,000

Now that I have your attention... You want something special? (Richard's special) but we have it in a job... Prestigious PR Co wish to attract a polished PA (25+) with top secretarial skills but, more importantly, a great personality, to work for a young, creative, dynamic, ambitious, fun-loving, harassed director. Be your own star and call Sandy now. (You don't have to look like Cindy Crawford!)

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OFFERED FOR
SUPERWOMAN P/A

Please do apply if you have:
(1) Good Applepie experience (Word/Powerpoint/Excel)
(2) A creative flair for presentation work
(3) Strong personality with office management experience
(4) Good secretarial skills (inc Shorthand or speedwriting) to assist frantic MD
Busy PR company based in Highgate desperate to meet you. Superb career prospects.

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Major international bank based in the West End has various opportunities available in the following areas:

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Senior Secretaries - £20,000 - £24,000

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General requirements for the above positions include: Word for Windows, excellent presentation skills, a level of education and lots of energy and drive. Shorthand preferred.

In addition to excellent basic salaries, you will receive full banking benefits including mortgage subsidy and annual bonus.

For a confidential discussion, please call or write to:

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Please call 071 588 7267, Fax 071 382 8417

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Telephone 0171 734 7341

UXBRIDGE
ADMINISTRATIVE
GENIUS?

c.£17,000 + PARKING + PERKS

This wonderful gentleman who runs all the administrative side of this very well established partnership (over one thousand years old) needs an Assistant who wants to get involved with every aspect of administration... personal, computers, seminars, parties, the list is endless. You will need your 55 typing but the 'one-off' job is definitely not just a job. It is a challenge for a talented person with proven admin experience to master this role and then realise its potential. Natural intelligence, a flair for handling people diplomatically and a highly organized work style will take you to the front of the queue if you are between 25 & 40 and an administrative genius, please call us. (Discussions welcome).

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No hassles, No let-downs... just a real appreciation for your work

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+ Share Scheme

...maybe you've been wondering if there are any 'normal' bosses out there (because yours isn't)? ...maybe you're sick of your job? ...or maybe you just want a nice straight forward job with no hassles, no unnecessary stress & no let-downs? Look no further, you've found it! Come & work for this lovely, lively executive (on a one-to-one basis) in a smart SW1 Head Office - the company need your help to run the show. You're a professional? Some sound secretarial experience, good typing (55 p.p.m.) but there's no shorthand & you'd be really appreciated if you are between 24 & 40 this job won't let you down.

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ARE YOU REALLY
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ART?

c.£20,000 + 9.30 START

+ DISCR BONUS

as you glide through the hallowed doors of this most beautiful Gallery you move into a world of vast treasures & nineteenth century paintings that will take your breath away. Your job here is not a 'sit on a pedestal & grin at the clients' post it's a top 'commercial' Assistant's role encompassing superb business organisation, admin & communication whilst assisting two top-paced Businessmen orchestrating everything from the sale of a masterpiece to an exhibition in New York. You must type (50+) but typing is minimal. You need presence, credibility, style & to be able to converse intelligently with the world's most eminent art customers but you naturally treat everyone, regardless of status, with grace and courtesy. Now, you may be sitting in a city finance institution...yearning for a job like this...or you may be in another Gallery with old pictures. If matters for your personal satisfaction with old pictures, you are between 25 & 40, impeccably groomed, you'll have to move very fast to land this one!

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Senior PA
£25,000 neg + mortgage
and bonus

Eminent City high-flyer needs a first class PA. A financial background is NOT necessary - we need the skills you have acquired supporting other senior executives. You will be poised, confident at all levels, discreet and highly motivated. We are looking for an impeccable background - a steady track record with major firms, the ability and desire to work 'unsupervised' rather than 'above' your boss's hectic business area. A level and a minimum of 90wpm shorthand. If you are aged 26-40, meet the standards and are happy with a long working day, please call Catherine Ferguson on 0171 390 7000.

Crone Corkill

RECRUITMENT CONSULTANTS

Personnel
Secretary
c £15,000 + excellent
benefits

Fantastic opportunity has arisen for a young secretary with 1-2 years experience to move into the personnel department of a large City organisation. You will start by providing support to the Personnel Director in the form of diary management, travel arrangements and typing general correspondence and at time goes by you will take on duties such as preparing contracts of employment, induction programmes and handling the administration of careers and leavers. Excellent organisational skills and the ability to juggle priorities are essential. Skills 50wpm typing and Word for Windows. Age 19-28. Please call Claire Ashley on 0171 390 7000.

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Partner in Charge
to £22,000 + Bens

A large prestigious City law firm requires a dynamic, senior PA to support a very demanding, high profile banking Partner. In this role you will need less of confidence and a calm, composed disposition to make your own decisions and excellent time management and communication skills to prioritise and liaise effectively at all levels. Working in superb offices, this is an excellent opportunity for someone with that little bit of spirit to really make their mark. Banking/finance experience is useful but not essential. You need to be very well presented with 60wpm typing and WordPerfect 5.1. Please send your CV to Rosemary Richards at Crone Corkill, 5 Queen Street, London EC4M 1SP or fax it to her on 0171 390 2997

Crone Corkill

RECRUITMENT CONSULTANTS

City
Receptionist
to £16,000 &
Bens

International Recruitment company requires a bright and enthusiastic receptionist. Based on the front desk you will answer the telephone, meet and greet visitors, and take responsibility for various admin tasks and overflow typing. There is room for you to grow in this role if you show the potential. This is an ideal opportunity for an eager first jobber who is looking for a role in the City. If you have 40wpm typing and WP experience, please call Vanessa Marshall on 0171 390 7000

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RECRUITMENT CONSULTANTS

College
Leaver
£12,000 + Bens

Large City firm are urgently looking for an enthusiastic and bright secretary to join them. You will have plenty of opportunity to learn, helping organise trips, juggling diaries and taking control of constantly ringing telephones! Good typing, 5 GCSE's and WP experience essential. Please call Kate Hodson on 0171 390 7000

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RECRUITMENT CONSULTANTS

KISS 100 FM, London's Dance Music Radio
Station has a vacancy for a
PA to the Sales Director.

Responsibilities include co-ordination of appointments, meetings, notes and systems, typing of proposals, document presentations, letters etc from the sponsorship and sales teams; co-ordination of attendance records and general office manager.

Shorthand, experience of powerpoint, excel and word for windows, the ability to work under pressure as well as a sense of humour would be an advantage.

Please reply to: Gordon Drummond, Sales Director,
Kiss 100 FM, 80 Holloway Road, London N7 8JG

CLOSING DATE: FRIDAY 24TH FEBRUARY 1995

DOMESTIC/COMMERCIAL PROPERTY SECRETARY

City Solicitors' Office Practice

We are looking for someone special to work for a Partner in our General Property Department. Working on your own initiative and able to handle all basic conveyancing duties as well as full secretarial support at partner level. A sound understanding of legal knowledge of word processing WordPerfect 5.1 is also a requirement. Salary £19,500.00 p.a. reflects the special person we are looking for.

Please send c.v. in first instance to: Chair Phillips, Park Nelson
Thompson Quarr, 1 Bell Yard London WC2. No agencies.

Personnel Officer - City
c£25,000 + Bens

International Investment Company is looking for an experienced Personnel Officer to assist the running in the London Operation (200 employees). Reporting to the Personnel Director this generalist role will incorporate recruitment to middle management level, maintaining personnel records and administering company benefits. A proactive and professional approach is required for the implementation of new systems and procedures, combined with a keen interest in training and staff development. The successful candidate will have first class administrative skills, at least 3 years experience in a similar role and ideally be IPM/IPD qualified. Age 27-37 years. Please send your CV in confidence to: Charlotte Pelling, Crone Corkill, 5 Queen Street, London, EC4M 1SP or fax it to her on 0171 390 2997

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RECRUITMENT CONSULTANTS

PR
Reception
c.£14,000

An opportunity has arisen within a young dynamic PR company based in the City for a receptionist to join the successful team. Based on the front desk you will meet and greet clients, organise lunches and entertainment and book couriers. There will be the opportunity to get very involved and some admin duties will include overflow typing, fixing and ordering stationery. Keyboard skills essential. Age 18-30. Please send your CV to: Angela Mortimer Plc is an equal opportunities employer. All applications are positively welcomed.

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Temping

There are 3 ways to temp and 3 types of agencies. 1 The Soft Option - the green and blue slopes of temping. Predictable, minimum effort but also minimum reward. 2 Middle of the Road - the red and black slopes. It's OK but will there be anyone there to help pick up the pieces if you take a tumble? 3 Off-Piste - a real challenge with maximum excitement and reward. The client with your own guide on hand to help you make the most of every turn. If you have EXTREME confidence in your secretarial skills and feel ready for the off-piste challenge you should be willing to take the risk. Call our experienced guides now and start paying for yourself! 0171 390 7000

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THE CENTRAL
ATTRACTION

£18,000 + Banking Bens
+ Prospects

INTERNATIONAL BANKING
This top-40 Rated Investment House with its expertise in global mergers and acquisitions has an exciting challenge for an energetic and highly motivated PA. You will be confident at dealing with clients at all levels, have experience of different cultures, and efficient enough to be the back-up in this fast moving office. It is essential that you have at least two years secretarial experience, preferably in the City, are well-presented, efficient and dedicated to the excellence that your boss requires. 80/55wpm. Languages a bonus. Angela Mortimer Plc is an equal opportunities employer. All applications are positively welcomed.

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Top W1 Property Agents. £12-£14,000. (2nd Jobber) Fast efficient type would do well, working for this leading Agency Team.

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Cheer Up and read on: you won't be alone for long if you join this fun, young and extremely social company based in the Heart of the West End. Drinks parties, sporting events and the smartest social calendar are all guaranteed. A lively personality along with a minimum of 55wpm are a must. Ideal age 20-30 years. Salary to £17,000. Please call 0171 437 6032 for more information

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Full Swing in Spring!

The winter blues are almost over, so plan ahead for a hectic spring! We are currently looking for experienced secretaries and receptionists to join our team. Secretaries will have fast and accurate typing (60wpm) and windows expertise, receptionists will need knowledge of at least one switchboard.

- Up to £10,000/year
- Free cross-training on the latest WP packages
- Temporary secretarial and receptionist assignments in a range of industries including investment banks, hotels, property companies and management consultants.

Liverpool Street - Victoria, Rosey, Joyce or Tina - 071 377 9918.
Fleetside Circus - Liz, Lisa, Kelly or Caroline - 071 437 6032

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Far from fretting about how to win those sections of the TV audience it does not have, the BBC should concentrate on appreciating the ones it has

Young viewers like it bloody

As the BBC continues its comic pursuit of the untamable — mass audiences through political correctness — it becomes clear that British television cannot give younger, downmarket viewers what they really want because middle-aged, middle-class regulation won't let them have it. Thank God.

This morning, the results of the BBC's two-year review of its programmes will be unveiled. Advances suggest that the BBC has spent £2 million to learn that we are indeed two nations, and that one likes the BBC better than does the other. But which two nations? Rich and poor? North and South? Male and female?

Of course, the chasm the BBC most regrets finding itself on the wrong side of is that between youth and age. What the BBC really wants is Channel 4's audience. Today's new figures from the Institute of Practitioners in Advertising show that Channel 4 easily outstrips the other three terrestrial

channels in popularity with the most sought-after age group: the 16 to 34s, the viewers of tomorrow. And to twist the knife, the institute's figures also show that Channel 4 appeals to the very socio-economic groups, the C2DEs, which the BBC is beating its breast about under-serving.

Channel 4 knows what the young want, and has probably gone as far as it can go in supplying it: eating vomit, necrophilia confessions and nude chat shows; a loopy breakfast programme and, coming in March, *Red Light Zone*, "a major new initiative" illuminating, over eight Saturday nights, the sex industries, erotica, sexual tourism and the body trade.

Last week, Michael Grade was sceptical about my suggestion that

such boldness might be the real reason why Channel 4 has lost its battle with the Conservative Government to get back the £57 million that the law requires it to hand to ITV. But I'm not so sure. Paul Johnson's intemperate outburst in the *Daily Mail* on the irreverent trio responsible for Channel 4's attack on Mother Teresa seemed to me to vent a wider view that this radical channel is tolerated, on a leash, if only to keep worse at bay.

With its lost £57 million, Channel 4 says it could sponsor many more British films. With these, it certainly has the knack. Its latest hit, *Shallow Grave*, has had reviewers saying "gripping", "impressively assured" and "if only more British movies turned out this way".

Yet to me *Shallow Grave* is the



BRENDA MADDOX

perfect example of the two-nations gulf the BBC is facing. *Shallow Grave* made me so sick that I wished I had not gone. Not because of the bloody, ham-fisted dismemberment of a corpse that forms the plot, but rather because of two swift scenes of men tortured to death: one put naked into a deep freezer, the other trussed and

drowned in a bathtub. These will stick in my mind for ever.

I know, I know. To admit that you cannot take film violence is tantamount to admitting that your favourite exercise machine is the Zimmer frame — that you are in the age group with which the BBC feels so burdened: the middle and well-over-middle aged.

My wish is not to stop Channel 4 from showing things such as last Saturday night's *The World*, in which someone drank raw worms mixed, but not thoroughly, in an electric blender, nor from making black films. It is to point out that the BBC cannot go further towards the social edge in pursuit of youth without running foul of the entire regulatory system legally imposed by the very gentility the BBC now so resents.

What the successes of *Pulp Fiction* and the forthcoming *Natural Born Killers* prove is that the young demand graphic representations of physical pain.

Why this anguish should have such box-office appeal is anybody's guess. Perhaps filmic approximations are necessary for a generation which has never known a fire-bombing or a gas chamber, let alone the use of the prison treadmill as a punishment for homosexuality.

But British regulation, the strictest in Europe, is based on the belief that the extremes of the cinema should be banned from the living room. Call it a double standard or hypocrisy, or call it civility: the wish, enshrined in law, is to protect not only children but everybody from the unexpected

intrusion of the unwanted in their own homes.

This wish accounts for the severe censorship of films released for videos, and even of advertisements. Only last month the Broadcasting Standards Council upheld a complaint against the White Fish Authority for an ITV commercial showing a man lying, frosted, in a deep freezer, because there were dangers of imitation. It will be interesting to see whether the similar scene in *Shallow Grave* passes the video censors.

So good luck to the BBC in shedding its gentility. Good luck to it in attracting the elusive downmarket 16 to 34s with new programmes about science, the regions and ethnic minorities. Above all, good luck in not further alienating the middle-class and middle-aged — no vanishing constituency but a growing one. Perhaps the corporation should now spend another £2 million to find out why it does not appreciate the loyal audience it has.



Star interviewers: the subtle but soft, David Frost, left, with Kenneth Clarke, and the challenging and confrontational, Jeremy Paxman



Rewards for the loyal shopper

Supermarkets are now thanking customers for choosing their stores

A new type of competition has broken out among the supermarket chains: the "Thank You" wars. Tesco was first off the mark last Friday with the launch of its nationwide loyalty scheme, which offers customers 1 per cent off their grocery bills if they pay with their Clubcard. "We have worked hard to develop a close relationship with our customers," Sir Ian MacLaurin, the Tesco chairman, says. "The Clubcard is a way of thanking them for shopping with us."

Then, on Sunday, Sainsbury's staff greeted shoppers with a leaflet and a speech about the chain's 125th birthday celebrations. Over the next month, Sainsbury's customers will be inundated with special offers, prize draws and little gifts to thank its shoppers' loyalty.

But why launch these initiatives and why now? Unable to notch up spectacular sales growth simply by opening new supermarkets and under pressure from discounters, the chains are realising just how valuable their existing customers are. And they are trying to find better ways of persuading consumers to part with more of their money. But with similar product ranges, store environments, and price and service levels, they are finding it difficult to stand out from the crowd.

The plan is to make each local store into a magnet for customers, transforming their weekly shop into a thrill. Archie Norman, the chief executive of Asda, says that shopping should be like reading a book: something to grab you in the beginning, and to keep you moving through to the end. "As they come out of the store, people should be able to tell you what the chapter headings were and why it had an exciting ending," he says.

Anthony Rees, Sainsbury's director of marketing, agrees. National brand values encapsulated by slogans, such as "Sainsbury's, where good food costs less", remain crucial, he says. "But each customer's view of

Sainsbury's comes not from national advertising but from how they were treated during their last visit.

"We don't want to be seen as a large, faceless company that means nothing to the customers," he says. "If they like our new approach, it might become the pattern of the future."

Like Tesco, Grant Harrison, the Clubcard manager, says: "It is up to each store to develop a local relationship with its customers so that each begins to see it as 'my store'."

Tesco plans to use data gleaned from the Clubcard — which automatically links names and addresses to records of what they buy — so that it can target offers at customers.

But will the "Thank You" prize draws and other events be powerful enough to compete with the discounts offered by



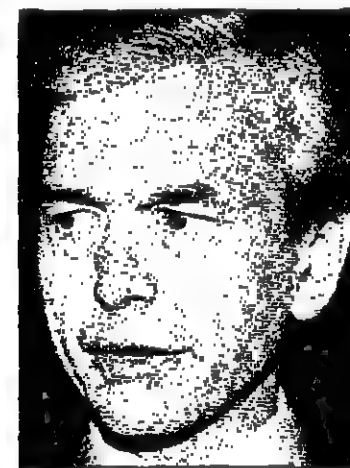
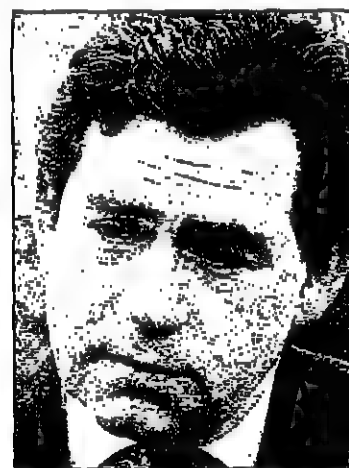
Tesco's scheme offers discounts on bills

loyalty schemes? Wary of a new round of price wars, whereby each supermarket chain tries to outbid its rivals by offering higher and higher loyalty incentives, Sainsbury's says it will never take its Saver Card nationwide. (Currently, it is restricted to a few selected stores.) But because Sainsbury's and Asda are waiting in the wings with their own schemes, it may be forced to. These card schemes are not just price wars by another name. The discounts offered are effectively payments to consumers for handing over crucial marketing information. As Tesco's Mr Harrison says, marketing is moving away from trying to change consumers' behaviour to understanding it and giving them what they want. That means future competition will revolve around who knows their customers best.

ALAN MITCHELL

I'm sorry, I'll ask that again

John Birt's Paxman-bashing speech reveals the malaise that has overtaken the modern television interview, says David Cox



Veterans of many "fencing" matches: Brian Walden, left, Gordon Brown, and John Humphrys

would be reminded at length that the Tories had increased the total tax burden and broken their promises on VAT, that tax revenues would rise if unemployment were reduced and that training was very important, before they had realised that they would learn nothing whatsoever about taxation.

During Gordon Brown's final appearance on *Walden* in November, we asked him in desperation whether he would at least acknowledge that if Labour were not prepared to say it would necessarily keep taxes down, then it must at

least be possible that taxes might go up. Some mysterious form of politician's logic enabled him to state confidently that no such inference could possibly be drawn.

While the Opposition refuses to discuss its plans, the Government hides behind fudges concocted to disguise its divisions. All interviewers have had to confront these realities, but they have done so in different ways.

Brian Walden would allow an interviewee to make an irrelevant response, then point out that his original question had not been an-

swered and suggest a reason for this. However, he could do this only because his interviews were longer than anyone else's. And the process tested the patience of viewers, who often learnt no more from the investment of a Sunday lunchtime than that a politician would not level with them.

Other interviewers have less airtime and less patient viewers. If they are to get anywhere they now have to interrupt. Some, in particular Nick Clarke of Radio 4's *The World at One*, are brilliant at judging when it is reasonable to do

this, but there are still listeners convinced that a pipsqueak hack is cheating them of a great man's pearls of wisdom. Since interruptions may only provoke a different kind of filibuster, they are not easily disabused.

David Frost has dispensed with follow-up grillings and lets interviewees get away with inadequate responses to his often extremely acute questions. Politicians would have you believe that this approach is dangerously disarming, but their enthusiasm to appear on Frost's couch belies this.

What Frost and Alastair Stewart, his GMTV equivalent, achieve is helping gun-shy politicians such as John Major to avoid those tougher interview forums that remain, such as John Humphrys's *On the Record*, by providing them with

booths.

Jeremy Paxman is a quite different case. He has abandoned forensic inquiry in favour of firing off challenging questions without paying undue heed to the responses. His charisma enables him to carry this off to the delight of those who share his impatience with authority, but to the horror of those, perhaps including his Director-General, who believe in deference to the powerful.

No interviewer has found an effective means of tackling the politicians of today, nor is one likely to. There is no point blaming politicians for the way they choose to behave, but it is time broadcasters took some counter-measures. Political interview shows have proliferated largely because they cost little and seem easy.

Let us now have far fewer of them, much better done — and let's use the airtime released to mount programmes addressing the issues of the day in more effective ways.

● The author is now a freelance current-affairs television producer.

A wander in 'wasteland'

ANDY Allan, the chief executive of Carlton Television, confessed last year that he found daytime viewing a "dull and predictable" wasteland of banality. He need only check the ratings to discover that the mid-morning, sofa-based magazine programmes on ITV and BBC1 at which his remarks were aimed do not dominate daytime viewing anyway. Writes Alexandra Freen.

BBC's *Good Morning with Anne and Nick*, presented by Anne Diamond and Nick Owen, does not even feature in this week's ratings chart, which looks at the top 20 broadcasts

between 9.30am and 5.30pm, excluding children's programmes. Its rival on ITV, *This Morning*, presented by Richard Madeley and Judy Finnigan, fares slightly better, attracting 2.1 million viewers on Wednesday, January 25.

Channel 4 and BBC2, which rarely appear in peak-time ratings charts, perform strongly during the day, especially during the afternoon when the available audience is bigger than in the morning. The letters and numbers quiz show *Countdown*, which was the first programme to be broadcast on Channel 4, heads the chart with 4.9 million viewers.

TOP 20: DAYTIME

January 23-29, 9.30am-5.30pm, excluding children's programmes

Programme	Date	Time	Chan	Producer	Genre	AUDIENCE (M)
1 Countdown	Tue 24	16.30	CH4	Yorkshire Television	Game Show	4.9
2 One O'Clock News	Fri 27	13.00	BBC1	BBC News and G.A.	News	4.7
3 Neighbours	Fri 27	13.30	BBC1	Grundy Int'l One Ltd	Soap	4.6
4 Home And Away	Fri 27	13.30	ITV	Seymour Network Australia	Soap	4.5
5 Lurchtime News	Fri 27	12.30	BBC2	ITN	Cameo show	4.4
6 Today's The Day	Fri 27	15.58	BBC2	Meridian Films	Lifestyle	4.3
7 Ready, Steady, Cook	Fri 27	16.58	BBC2	Bazal Productions	Chat show	4.2
8 The Oprah Winfrey Show	Tue 24	17.01	CH4	Hargo Productions Inc	Game show	4.1
9 Oprah Winfrey	Fri 27	15.53	CH4	Hargo Productions Inc	Chat show	4.0
10 Timescape	Tue 24	17.02	CH4	The Garth Ancier Co	Game show	3.9
11 Ricki Lake	Wed 25	12.38	ITV	Yorkshire Television	Drama series	3.8
12 Emmeline	Fri 27	14.47	BBC1	Crawford Prod Pty	Chat show	3.7
13 The Flying Doctors	Fri 27	15.21	ITV	ITN	News	3.6
14 Pezle Mill	Fri 27	15.21	ITV	Universal	Drama Series	3.5
15 News Headlines	Wed 25	14.19	ITV	Granada Television	Soap	3.4
16 Alex Smith & Jones	Mon 29	12.58	ITV	Granada Television	Consumer Affairs	3.3
17 Countdown	Wed 25	11.00	ITV	Granada Television	News	3.2
18 This Morning	Tue 24	15.53	BBC2	ITV	News	3.1
19 News At Five	Tue 24	16.00	ITV	Anglia Television	Consumer Affairs	3.0
20 The Time The Place	Tue 24	16.00	ITV	Anglia Television	Consumer Affairs	2.9

BARE (Broadcasters' Audience Research Board)/David Graham & Associates 0823-322829
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New research strengthens the link between media images of women and eating disorders

Thin disguise for the glossy women

and reading glossy magazines were, moreover, particularly prone to eating disorders, the researchers claimed.

The findings intensify the professional dilemma for magazine journalists. In general, it is difficult to doubt their commitment to empowering young women, or to marrying feminist ideals with the sales ambitions of their publishers.

"Anorexia has been around since the 17th century," says Mandi Norwood, editor of *Company*. "The first recorded case was in 1694, so I think it is a bit rich to start heaping all the blame onto women's magazines, which have been around for only 30 or 40 years. Women's magazines are an easy target. There has to be a deeper, more sinister explanation."

When Dr Sarah Grogan, a psychologist at Manchester Metropolitan University, asked groups of male and female students to rate the attractiveness of magazine



Kate Moss: tabloid hype

models, both sexes emerged from the experiments with lowered self-esteem. Dr Grogan says: "Magazines are stuck in an almost impossible situation. Some, such as *Marie Claire*, are almost trying to go against the trend, looking at different bodies and saying they're all fine. But it's a dual message, because their models are still very thin."

The answer for women's glossies, says Rosie Boycott, editor of *Esquire*, the men's magazine, lies in a broader definition of femininity, bringing their agendas closer to those of men's media. Careers mix with romance, politics vie for space with parachuting and pedicures. "Men do not derive their sense of macho and self-esteem mainly from how they look," says Boycott. "It comes from their intelligence and interests. The appalling thing about women is that they still derive their sense of being from the female form."

Angela Holden, editor of *Sky* magazine, claims female readers demand it. "Men are more forgiving of the imperfect female body. Women prefer to look at totally idealised images. Every magazine tries to make women look totally appealing to its readers."

But newspapers, according to d'Argy Smith, are even guiltier. Both tabloids and

broadsheets have seized on glamour as the palatable, youth-orientated antidote to global disasters, but their consciences, she says, lag behind.

"Fashion has beaten Bosnia and warring Russia to the front pages. There are models on prominent pages of *The Times*. Supermodels are bigger than pop stars or royalty, and, by God, they are slim." Tabloids, she says, are particularly careless in their selection of female role models. "The two icons of the age, Jane Fonda and Princess Diana, were both well-known bullies and wildly obsessive. Princess Di takes her bulimic body to the gym and stays there for hours."

At least most editors now disdain the Kate Moss genre of role model. Mandi Norwood of *Company* says the Croydon waif has never been an icon for her readers: for April Joyce, editor of *19* magazine, Moss is a mere figure of fun in teenage gossip columns. "The whole hypocrisy of Kate Moss was a real tabloid notion," says Holden. "They just love to show a photo of a half-clad waif, and if it's next to a story on anorexia, that makes it sexier."

LUCY BERRINGTON

Human Rights Law Report

Breach in retrospective effect of drugs confiscation order

Welch v United Kingdom

(Case No 11994/448/57)

Before R. Rysdall, President and Judges F. Matscher, R. Macdonald, J. de Maeyer, T. Fölhel, R. Pekkanen, Sir John Freland, L. Wildhaber and K. Jungwiert

Registrar H. Penold

[Judgment February 9]

When a confiscation order was imposed retrospectively following conviction for drug offences, and irrespective of the characterisation of that confiscation measure in domestic law, such a confiscation could amount to a penalty within the meaning of article 7.1 of the European Convention on Human Rights.

In the instant case, the European Court of Human Rights held, unanimously, that there was a violation of that provision, in that Mr Welch faced more far-reaching detriment as a result of a confiscation order under the Drug Trafficking Offences Act 1986 than that to which he was exposed at the time of the commission of the offence for which he was convicted.

That conclusion concerned only the retrospective application of relevant legislation and not powers of confiscation conferred on the courts.

Article 7.1 of the Convention provides: "No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed. Nor shall a heavier penalty be imposed than that which was applicable at the time the criminal offence was committed."

Section 1 of the 1986 Act provides:

"(1) ... where a person appears before the Crown Court to be sentenced in respect of one or more drug trafficking offences and has not previously been sentenced or otherwise dealt with in respect of his conviction for the offence or, as the case may be, any of the

offences concerned, the courts shall act as follows:

"(2) The court shall first determine whether he has benefited from drug trafficking."

"(3) For the purposes of this Act, a person who has at any time (whether before or after the commencement of this section) received any payment or other reward in connection with drug trafficking carried on by him or another has benefited from drug trafficking."

"(4) If the court determines that he has so benefited, the court shall, before sentencing ... determine ... the amount to be recovered in his case by virtue of this section."

"(5) The court shall then in respect of the offence or offences concerned - (a) order him to pay that amount ..."

Section 2 provides:

"(1) For the purposes of this Act - (a) any payments or other rewards received by a person at any time (whether before or after the commencement of section 1 of this Act) in connection with drug trafficking carried on by him or another are his proceeds of drug trafficking, and (b) the value of his proceeds of drug trafficking is the aggregate of the values of the payments or other rewards."

"(2) The court may, for the purpose of determining whether the defendant has benefited from drug trafficking and, if he has, of assessing the value of his proceeds of drug trafficking, make the following assumptions, except to the extent that any of the assumptions are shown to be incorrect in the defendant's case."

"(3) Those assumptions are -

"(a) that any property appearing to the court - (i) to have been held by him at any time since his conviction, or (ii) to have been transferred to him at any time since the beginning of the period of six years ending when the proceedings were instituted against him, was received by him, at the earliest time at which he appears to the court to have held it, as a payment or reward in connection with

drug trafficking carried on by him."

"(b) that any expenditure of his since the beginning of that period was met out of payments received by him in connection with drug trafficking carried on by him, and

"(c) that, for the purpose of valuing any property received or assumed to have been received by him at any time as such a reward, he received the property free of any other interests in it ..."

Section 4 provides:

"(1) Subject to subsection (3) below, the amount to be recovered in the defendant's case ... shall be the amount the Crown Court assesses to be the value of the defendant's proceeds of drug trafficking."

"(2) If the court is satisfied as to any matter relevant for determining the amount that might be realised at the time the confiscation order is made ... the court may issue a certificate giving the court's opinion as to the matters concerned and shall do so if satisfied as mentioned in subsection (3) below."

"(3) If the court is satisfied that the amount that might be realised at the time the confiscation order is made is less than the amount the court assesses to be the value of his proceeds of drug trafficking, the amount to be recovered in the defendant's case under the confiscation order shall be the amount appearing to the court to be the amount that might be so realised."

Mr Peter Welch was arrested on November 3, 1986 and subsequently charged with drug offences allegedly committed between January 1, 1986 and the day of his arrest.

On August 24, 1988 he was found guilty on five counts. He was sentenced to 22 years imprisonment in respect of two offences and to 20 years in respect of the other three.

In addition, the judge made a confiscation order against him for £66,914 under the 1986 Act, in default of payment the applicant would be liable to serve a consecutive two-year prison

sentence. The operative provisions of that Act had come into force on January 12, 1987, that is after the dates on which the offences were committed.

The applicant appealed to the Court of Appeal, which on June 11, 1990 reduced the sentence by two years and the amount of the confiscation order by £7,000.

The application was lodged with the European Commission of Human Rights on June 22, 1990. It was declared admissible on February 12, 1993 in so far as it raised issues under article 7 of the Convention.

Having attempted unsuccessfully to secure a friendly settlement the Commission drew up a report on October 15, 1993 in which it established the facts and expressed the opinion that there had been no violation of article 7 (seven votes to seven with the casting vote of the President being decisive).

The Commission referred the case to the Court on January 15, 1994.

In its judgment, the European Court of Human Rights held as follows:

1. Alleged violation of article 7.1

The Court first observed that the retrospective imposition of the confiscation order was not in dispute in the present case.

The order had been made following a conviction in respect of drug offences which had been committed before the 1986 Act came into force.

The only question to be determined was whether the order constituted a penalty within the meaning of article 7.1.

The concept of a penalty in that provision was, like the notions of civil rights and obligations and criminal charge in article 6.1, an autonomous Convention concept.

To render the protection offered by article 7 effective, the Court had to remain free to go behind appearances and assess for itself whether a particular measure amounted in substance to a penalty within the meaning of the provision.

The wording of the second sentence of article 7.1 indicated that the starting point in any assessment of the existence of a penalty was whether the measure in question was imposed following conviction for a criminal offence.

Other factors that would be taken into account as relevant in that connection were the nature and purpose of the measure in question, its characterisation under national law, the procedures involved in the making and implementation of the measure and its severity.

As regards the connection with a criminal offence, it was to be observed that before an order could be made under the 1986 Act the accused must have been convicted of one or more drug trafficking offences.

That link was in no way diminished by the fact that, due to the operation of the statutory presumptions concerning the extent to which the applicant had benefited from trafficking, the court order could affect proceeds or property which were not directly related to the facts underlying the criminal conviction.

While the reach of the measure could be necessary to the attainment of the aims of the 1986 Act, that did not alter the fact that its imposition was dependent on there having been a criminal conviction.

In assessing the nature and purpose of the measure, the Court had regard to the background of the 1986 Act, which was introduced to overcome the inadequacy of the existing powers of forfeiture and to confer on the courts the power to confiscate proceeds after they had been converted into other forms of assets.

The preventive purpose of confiscation might be available for use in future drug trafficking operations as well as the purpose of ensuring that crime did not pay were evident from the ministerial statements that were made to Parliament at the time of the introduction of the legislation.

However, it could not be excluded that

legislation which conferred such broad powers of confiscation on the courts also pursued the aim of punishing the offender.

Indeed, the aims of prevention and reparation were with a punitive purpose and could be seen as constituent elements of the very notion of punishment.

In that connection, confiscation orders had been characterised in some United Kingdom court decisions as constituting penalties and, in others, as pursuing the aim of reparation as opposed to punishment.

Although on balance those statements pointed more in the direction of a confiscation order being a punitive measure, the Court did not consider them to be of much assistance since they were not directed at the point at issue under article 7 but rather made in the course of examination of associated questions of domestic law and procedure.

The Court agreed with the Government and the Commission that the severity of the order was not in itself a penalty as it was commonly understood even though they could also be considered as essential to the preventive scheme inherent in the 1986 Act.

The sweeping statutory assumptions in section 2(3) of the 1986 Act, that all property passing through the offender's hands over a six-year period was the fruit of drug trafficking unless he could prove otherwise, the fact that the confiscation order was directed to the proceeds involved in drug dealing and was not limited to actual enrichment or profit (see sections 1 and 2 of the 1986 Act), the discretion of the trial judge in fixing the amount of the order, to take

into consideration the degree of culpability of the accused, and the possibility of imprisonment in default of payment of the order, were all elements which, when considered together, provided a strong indication of, *inter alia*, a regime of punishment.

Finally, looking behind appearances at the reality of the situation, whatever the characterisation of the measure of confiscation, the fact remained that the applicant faced more far-reaching detriment as a result of the order than that to which he was exposed at the time of the commission of the offences for which he was convicted: see *mutatis mutandis*, *Campbell and Fell v United Kingdom* (June 28, 1984 (Series A No 80, p.38, paragraph 72)).

Taking into consideration the combination of punitive elements outlined above, the confiscation order amounted, in the circumstances of the present case, to a penalty.

Accordingly, there had been a breach of article 7.1.

The court stressed, however, that that conclusion concerned only the retrospective application of the relevant legislation and did not call into question in any respect the powers of confiscation conferred on the courts as a weapon in the fight against the scourge of drug trafficking.

2. Application of article 50

A. Damages

The Court noted that the confiscation order had not yet been enforced because of the present proceedings. It considered that in those circumstances the matter was not ready for decision. The question was accordingly to be reserved and the further procedure fixed, with due regard to the possibility of an agreement being reached between the Government and the applicant.

B. Costs and expenses

The Court awarded the applicant £12,852.60 less the sums paid by way of legal aid in respect of costs and expenses relating to the Strasbourg proceedings.

Court of Appeal

Inaction did not pervert justice

Regina v Headley

Before Lord Taylor of Gorton, Lord Chief Justice, Mr Justice Popplewell and Mr Justice Steel [Judgment February 13]

A defendant who ignored a summons in his name and who allowed informations alleging contraventions of the Road Traffic Act 1988 committed by his brother to be proved in his own name, did not thereby do a series of acts tending to pervert the course of justice.

The Court of Appeal so held when allowing the appeal of Anthony Michael Headley against his conviction on July 4, 1994 following a change of plea to guilty after a ruling by Judge Maclean Webster, QC, at Salisbury Crown Court, of one count of perverting the course of justice between August 25, 1991 and September 8, 1992, on which he was fined £330 and ordered to pay £300 towards the costs of the prosecution.

Mr Geoffrey Kelly, assigned by the Registrar of Criminal Appeals, for the appellant, Mr Charles Cochran for the Crown.

THE LORD CHIEF JUSTICE.

Adjudicator should state findings of fact

Regina v Immigration Appeal Tribunal, Ex parte Shahim Begum

Before Mr Justice Schiemann [Judgment February 8]

An adjudicator determining an appeal under section 19 of the Immigration Act 1971 who was not satisfied that an appellant and dependants would be able to maintain themselves without recourse to public funds should state clearly who were the parties, what were their assets and what amounts were regarded as required for adequate maintenance, in order to assist in isolating questions of law from those of fact and simplify the task of supervision that fell to the Immigration Appeal Tribunal and the court.

Mr Justice Schiemann so stated in the Queen's Bench Division in a reserved judgment when allowing an application for judicial review by Shahim Begum of the appeal tribunal's decision on August 27, 1993 of leave to appeal against the dismissal of an application by Ulfat Hussain against the refusal by an entry clearance officer on September 2, 1991 of entry clearance to join her as her fiancée.

Miss Indira Raha for Miss Begum; Mr Steven Kovacs for the appeal tribunal.

MR JUSTICE SCHIEMANN said that an adjudicator faced with the task of explaining why he was not satisfied that the parties and their dependants would be able to maintain themselves without recourse to public funds should try to produce a decision which enabled

the parties, the appeal tribunal and a court to be clear as to the following matters:

1 Who were regarded by him as the parties and their dependants?

2 What assets from what sources were regarded by him as available to the parties at what times in the present and the future?

3 What amounts were regarded by him as being required for adequate maintenance for the parties and their dependants during any relevant period? In that context he

should bear in mind the definition of public funds in the relevant immigration rules. If he took the view in a particular case that that which would be provided to the parties from public funds as there defined was inadequate he should indicate why.

In relation to each of those matters he should indicate whether there was a dispute between the appellant and the Home Secretary and if so why the appellant had or had not satisfied

him that the appellant's contentions were correct. Such an approach by an adjudicator would be more likely to isolate questions of law from those of fact and thus give to the parties the impression that they had received justice. It enabled findings of law to be identified rather than concealed in a cloud of facts and thus simplified the task of supervision that fell to the appeal tribunal or the court.

Solicitors: Wismarley Burgess; Treasury Solicitor.

MR JUSTICE SCHIEMANN said that the judge had decided that no contractual liability for breach of the implied term to exercise reasonable care and skill attached to Trendley on the understanding that as heavy industrial cleaners who had un-

dertaken to clean asbestos cement roofs they had not held themselves out as having expertise in relation to the health hazards potentially created.

He was wrong. Applying water in a high-pressure jet to asbestos sheeting was obviously capable of dissolving dust and fibres and creating a slurry; the risk of asbestos dust in that slurry ought to have been obvious to any inquiring mind.

When carrying out their obligations under the contractual chain they had failed to exercise reasonable care and skill to perform the task safely and without causing extensive contamination of the surrounding area.

Lord Justice Nourse and Sir Tasker Watkins agreed in the result.

Solicitors: Davies-Lavery, Maidstone; Keogh Risson, Bolton.

MR JUSTICE BALCOMBE, agreeing, said that the case had revealed a lacuna in the provisions of the 1989 Act. There was no application under the Adoption Act 1976 before the judge, the freeing proceedings had finished and a specific application for adoption had not, at the date of purported variation, been made.

That was not a position which the draftsman of the 1989 Act had ever contemplated. It followed, therefore, that Miss Macur was right and the judge had not had jurisdiction to make the order.

No submission had been made to him, however, that he had lacked jurisdiction so that he was not to be criticised for falling into the trap. His Lordship agreed with the proposed order.

Solicitors: Anthony Collins & Co, Birmingham; Mr Stewart Dobson, Birmingham.

Section 8(3) of the 1989 Act provides: "(3) For the purposes of this Act 'family proceedings' means any proceedings (a) under the inherent jurisdiction of the High Court in relation to children; and (b) under the enactments mentioned in subsection (4)."

"(4) The enactments are ... (d) the Adoption Act 1976 ..."

Section 10 provides: "(1) In any family proceedings in which a question arises with respect to the welfare of any child the court may make a (joint or order or any order varying such order) ... if ... (b) the court considers that the order should be made even though no ... application has been made."

Miss Julia Macur for the father; Mr Stephen Cobb for the council.

LORD JUSTICE BUTLER-SLOSS said that the application raised a short but not easy point of law namely, given (1) that the purported variation by the judge of the contact order to reduce the number of face-to-face contacts to no more than three a year was not permissible within the slip rule and (2) that the local authority had not had the power, having regard to the provisions of section 8(2) to make an application for a contact order, including by virtue of sec-

tion 8(3) an application to vary such order, whether there were "family proceedings" on foot at the date of purported variation which might have given the judge jurisdiction under section 10 to make an order of his own motion.

Miss Macur had argued that the only proceedings on foot, namely those leading to the making of the interim care order, had been concluded with the making of that order.

With regret, her Lordship believed that Miss Macur's technical point was right and that there was no way round it. The judge had not had jurisdiction to make the order of June 3, 1994.

None the less, exercising the powers of the High Court, her Lordship would vary the order of August 1993 to permit contact three times a year pending further determination by the High Court.

Law Report February 15 1995

Risk of returning abducted child

In re F (a Minor) (Child abduction: Risk if returned)

Before Lord Justice Butler-Sloss, Lord Justice Millett and Sir Christopher Slade [Judgment February 9]

Where a mother who had wrongfully removed her child from one jurisdiction, had prevented the child from being returned to the jurisdiction of the father, the court should order the return of the child to the jurisdiction of the father if the risk of the child's return to the jurisdiction of the father was not so great as to be intolerable.

The court so held when allowing the appeal of the mother from the decision of Mr Justice Ward on December 20, 1994, who ordered the return of the child to the United States of America.

Mr James Munby, QC, for the mother; Miss Pamela Scriven, QC and Mr Jeremy Rosenblatt for the father.

LORD JUSTICE BUTLER-SLOSS said that the appeal raised two difficult issues: whether the mother in removing the child from Colorado was in breach of the father's rights of custody under article 13 of the Hague Convention, and whether it was a case in which article 13(b) applied and should bar the return of the child.

The judge had found that the mother had wrongfully removed the child from the USA in breach of the father's rights of custody under article 13 of the Hague Convention, and that the child was in the custody of the father under article 13(b) and that the mother had not made out a case under article 13(b).

Counsel were agreed that the child was habitually resident in Colorado prior to his removal by the mother and that the issue under article 13 was removal and not retention.

It was the duty of the court to construe the convention in a purposive way. It was repugnant to the philosophy of the convention for the court to apply it strictly and with full knowledge that it was against the wishes of the other parent who possessed rights of custody to remove the child from the jurisdiction of the child's habitual residence.

Rights of custody within the convention were broader than order of the court and parents had rights in respect of their children without the need to have them declared by the court or defined by court order.

The father and the mother both enjoyed equal and separate rights of custody by Colorado law. The removal of the child by the mother interfered with the rights of the father in that he was prevented from actually exercising them in the USA. In removing the child

without the consent of the father and with the knowledge that if he knew he would have opposed her removal, the mother was in breach of the father's rights of custody under the convention and the removal was wrongful.

When a court had found that the removal of the child was wrongful within the meaning of the convention, article 12 required that the court should order the return of the child forthwith unless any of the provisions of article 13 was established and the requested state exercised its discretion not to do so.

Article 13(b) stated that the court was not bound to order the return of the child if the mother who opposed his return established that "there was a grave risk that his or her return would expose the child to physical or psychological harm or otherwise place the child in an intolerable situation."

Mr Munby recognised that a very high standard was required to demonstrate grave risk and an intolerable situation but argued that the convention envisaged that there would be cases in which the facts would meet that high standard.

Admission of oral evidence in convention cases should be allowed sparingly.

If the issues between the parties could not be resolved on affidavit, the article 13(b) criteria would not have been established. The child would be returned pursuant to article 12 and it would be for the court of habitual residence to determine the disputed issues with the opportunity to hear oral evidence and the parties cross-examine.

In many cases the absence of evidence from the other parent on the major issues would cause a court to hesitate to find the article 13(b) threshold reached.

However, in the present case, her Lordship agreed with the judge that the evidence adduced by the mother should be treated as true, particularly since the allegations affected the child, there was an opportunity to rebut them and the consequences for the child on the evidence were potentially very serious. Since the evidence was all on affidavit the court was in as good a position as the judge to assess its impact upon the standard to be established.

To her Lordship's knowledge there was no case which had been heard in an English appellate court in which that standard had been reached.

The signatories to the convention, none the less, anticipated that circumstances could arise in which there would be a grave risk that the return would expose the child to an intolerable situation. There were several signs in the present case that led her Lordship, despite considerable hesitation, to conclude that it was exceptionally so a case.

The present case, however, was exceptional and the criteria of article 13(b) had been met.

Solicitors: Eaton Evans & Morris, Haverfordwest; Mishcon de Reya.

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THEATRE page 40

Juliet Stevenson steps into Jacobean gore as The Duchess of Malfi comes to Greenwich

ARTS

DESIGN page 41

Zaha Hadid may have won in Cardiff, but the row over architecture competitions goes on



CINEMA: Margarethe von Trotta's *The Promise* takes the wrong turns in the right town; but get set for Indian fireworks

Somewhat funereal in Berlin

Geoff Brown suffers through a slow start to Germany's 45th annual Film Festival

The past looms large at the 45th Berlin International Film Festival. This year cinema is 100 years old, or thereabouts, and the birthday party is in full swing. Before we settled down to the opening film there was a curtain-raiser from the archives: a reconstruction of Germany's first movie show, presented by the Skladanowsky brothers, Max and Emil, in Berlin's Winter Garden Variety Theatre on November 1, 1895. In the space of a few minutes we had jugglers, acrobats, dancing peasants and a man pitting his fists against a boxing kangaroo. This was much more fun than Lumière's dull old train arriving at a station.

The festival's retrospective section is playing its part by saluting Buster Keaton, also born 100 years ago. Contemporary film-makers are not standing by idly. Agnès Varda is offering a comic fantasy called *A Hundred and One Nights*, while Edgar Reitz, the director of *Heimat*, reviews German cinema in *The Night of the Film-makers*, part of a centenary television series conceived by the British Film Institute.

The first film in the festival, Margarethe von Trotta's *The Promise*, itself peered intently into the past on Berlin's doorstep. Two lovers are separated when the Berlin Wall goes up in 1961; one escapes through the sewers to the West, the other hesitates and stays put. During the next 30 years they see each other four times, once in Prague in 1968 as the Russian tanks roll in, when a child is conceived.

“The way to grab an audience is to make your film in Hollywood”

By the time the Wall comes down they have become different people, and there is no thread for them to pick up.

Returning to German material after a largely unrewarding period in Italy, von Trotta has crafted a competent, glossy production. It is never dull, exactly; but for all the telling details of compromised lives in divided Berlin, the film tends to glide past the viewer's eyes without penetrating. The jagged edges of von Trotta's earliest films have gone. Her camera moves are velvet smooth, and the players, led by Meret Becker and Anian Zollner, lack the panache to make their story of great interest to the international audience the film seems to want.

Judging by the response of Berlin's international audience, the one way to grab an audience's complete attention is to make your film in Hollywood. Of the films shown in competition so far, the one to elicit the largest audience has been Robert Benton's *Nobody's Fool*, an entertaining slice of smalltown Americana starring Paul Newman. The blue-eyed charmer is 70 this year — a little older than his character, Sully, a limping loser in a town of losers.

Bruce Willis, the building contractor who gives him work, actually calls him “Schmucko”. Schmucko? Paul Newman?

Despite this basic contradiction, Newman gets under the character's skin superbly. So do Willis, Melanie Griffiths, the late Jessica Tandy and the rest of the players, variously cast as disappointed wives, kindly landladies, incompetent



Trabants to the left of them, Trabants to the right of them, volley and thunder: the Berlin Wall has fallen, and the city is united as East legally meets West in *The Promise*

lawyers, bald-headed cops and estranged sons, gathered together in the wintry streets of North Bath, New York's State. The characters, in fact, matter more than the plot. Mood, too, is all important: chiefly a benevolent acceptance of human frailty. For these reasons alone, *Nobody's Fool* will probably fare poorly at the world's box office.

Benton's film will perform better, however, than Varda's *A Hundred and One Nights*, a celebration of cinema's achievement that made even Berlin's film buffs shift in their seats. Considering the skill and charm Varda has lavished on documentary memorials to her partner Jacques Demy, the film's failure may be thought surprising. But Varda's story line — concerning Simon Cinéma, an aged, white-faced gent played by Michel Piccoli, who believes he is cinema personified — would be enough to sabotage

any director. Prodigious sources were gathered up: a mountain of clips from mostly European films, a galaxy of stars playing themselves, from Marcello Mastroianni to a clearly bemused Harrison Ford. Then Varda throws them all away in whimsical snatches which reach the height of stupidity when Catherine Deneuve and Robert De Niro, bickering away like husband and wife, lull about in a swan boat.

An hour after the Varda finished, the press corps was subjected to Reitz's *The Night of the Film-makers*. Nightmare would be more appropriate. Its essence is simple. More than 20 German film-makers, from that prickly dragon Leni Riefenstahl to modern masters from both the West and East, offer thoughts on their country's cinema, with illustrations. But the fancy style of presentation keeps interfering with the material, and the film

never rises above the level of annoyance.

New cinema voices have been hard to detect in Berlin's babble. But Marius Holst, a 35-year-old from Norway, has started out well with an attractive first film, *Cross My Heart and Hope to Die*, entered in competition. This was the most popular Norwegian film at the local box office last year, although the smallness of its story — about a schoolboy's traumatic summer — will probably restrict its foreign exposure.

Newly favoured directors are back in Berlin with their latest work: Hong Kong's Stanley Kwan, who dazzled all eyes with his ghost story *Rouge*, is represented by *Red Rose, White Rose*, adapted from a novel about a Shanghai man in the 1930s, torn between his passionate lover and his noble, innocent wife. The first half bows along with

sumptuous shots through rain-swept windows, glass-panelled doors and the like. Then, as the story slots into a melodramatic pattern, the film slowly stagnates. Sterling acting, though, especially from Veronica Yip and Joan Chen.

More fresh air blows through the new film by Richard Linklater, who chronicled America's idle youth in *Slacker* and *Dazed and Confused*. In *Before Sunrise* he takes a big jump forward: instead of a mosaic of characters, he concentrates on two — a French student and an American — who meet on a European train and decide to spend the day exploring Vienna and each other. Sustaining a film through two people walking and talking is a high-risk enterprise, but Linklater's sympathetic understanding and his

likeable players, Ethan Hawke and Julie Delpy, reduce the risk to a minimum.

While all these films have unspooled in the official festival, the European Film Market has been showering potential buyers with unknown quantities made by people you have never heard of, and will never hear of again. For these, your only guides are the descriptions in the catalogue. “A parable whose action, set in Poland, Switzerland and Paris, is linked with the mythical motif of the frog” (*A Frog's Leap*, from Poland). “A musical film about an inquisitive young saxophone player” (*It Also Snows in Paradise*, from Lithuania). “A study of a dysfunctional dairy-farming family in a perpetually dark, wet and cold corner of southern Wisconsin” (*Blessing*, from America). I saw none of them.

Revenge for the caste of millions

Is *Bandit Queen* a brave stand against India's treatment of women, or the cheap exploitation of a real life?

No matter what it was that might have happened between Dr Aziz and Adela Quested in Forster's *Maurice* novel, it was nothing when compared to what *did* happen to Phoolan Devi.

She was a lower-caste Indian bride at 11, but ran away from the brutal husband to whom her parents had sold her. She fell into banditry. She was kidnapped by rival dacoits and gang-raped. She was implicated in the revenge massacre of two dozen of these higher-caste bandits, who were linked both to her rapists and to the murder of her lover: it made headlines as the biggest bandit shootout in recent Indian history.

Devi, the Bandit Queen, became a feminist legend. She and her otherwise all-male gang stole, killed and kidnapped, but they also helped peasants who had sheltered and fed them, and they protected child brides from bullies. Shops in India sold Devi dolls, laced with bandoliers.

Eventually, she surrendered — in front of thousands of cheering supporters and newspaper photographers. A year ago this week, she was released from an 11-year spell in prison, falling eagerly into the myth-massaging embrace of media celebrity.

Devi has now had a chilling film made of her life. Financed by Channel 4, *Bandit Queen* has won over audiences at film festivals from Cannes to Toronto. But Devi has tried to ban the film: she says it exploits her and invades her privacy (“They are raping me all over again and selling me on the screen,” she says). Now 32, Devi says she wants to go into politics.

India's censors have refused to bless the film uncut. Officially this is because it is too violent and vulgar, because it shows rape and full nudity, and woman-on-top sex (Seema Biswas, the actress playing these scenes, had a nervous breakdown when it came to baring all). Unofficially, the film has run into trouble because it paints a grim picture of the fate of women in rural India and of the injustices of the caste system.

Remember, this is not a plot spun by the fevered imagination of a Hollywood, or even a Bollywood, scriptwriter. So what kind of plot is it? A spaghetti western about a woman wronged who goes out to settle the score? A *Bonnie and Clyde* adventure of bandits on the run? A gory Sam Peckinpah shoot-out? Is this woman Robin Hood? Or Rambo? Or Gloria Steinem with attitude?

“People say all of those things,” says the director Shekhar Kapur, who came to England 25 years ago to study accountancy and went home eight years later to escape balance sheets and learn about film-making in Bollywood. “But I think most people say, ‘But I think most people realise this is a film about the relationship between men and women. I’ve heard men coming out saying they feel slightly ashamed to be a man.’”

Kapur's previous two directorial adventures were family entertainment for the Indian market. So of all the films in all the world, why make this one? “Because here, on one level, I could tell the larger truth about the caste system, and, on a universal level, I could tell something about men's attitude to women,” Kapur says. “In parts of India



“The film doesn't romanticise Phoolan Devi. We don't justify what she did,” Shekhar Kapur, director of *Bandit Queen*

it is not politically incorrect for higher-caste men to rape lower-caste women. That's not to say it isn't illegal to rape, just that nobody gets convicted for it. There are laws to protect the lower castes, but they're totally ignored.

When the higher castes — there are higher and lower castes even in the world of banditry — feel the slightest bit threatened, they rape the women of the lower castes,” Kapur says. “It's a way of showing domination, of saying: ‘We've shamed your women and therefore the honour of your community.’”

“But what exactly is this shame? This is the only crime in the world where the victim carries the blame. What I try to do is take the sexuality out of rape and show it as an act of violent domination.”

Kapur reckons that Devi has been smart in milking the

media, particularly the urban Indian media. Having never clapped eyes on Devi, they turned her into a raven-haired, blue-eyed, Amazonian beauty, when she is, in fact, small and rather unremarkable. But what makes her stand out, says Kapur, is that “she is the woman who did not accept the consequences of shame and humiliation when she was raped. She rejected being the second sex.”

“The film doesn't romanticise her. We do not justify what she did, or suggest that taking violent revenge is the answer. What makes her interesting is that she fought back. Why? Because there was a quirk in her character, a rebelliousness. This happens to millions of Indian women, who don't fight back.”

JOE JOSEPH
● *Bandit Queen* is renewed tomorrow, and released on Friday

JAZZ: Sublime sounds come in different sizes from Westbrook and Weber

One big band deserves a solo

Towards the end of the sell-out concert featuring his 20-piece big band, Mike Westbrook thanked his audience at the Blackheath Concert Halls for the quality of its attention to what he described as “this wonderful music”.

In cold print, this might seem immodest, since the 50-year-old composer had himself written much of the three hours' worth of music his band had just performed, but it was patently obvious at the time that he was merely expressing his heartfelt gratitude, not only to the band which had played so magnificently, but also to its listeners for their contribution to a memorable evening.

During much of the concert — when he wasn't actually playing the piano or conducting — Westbrook effectively transformed himself into an audience member, sitting, eyes shut, on his piano stool, luxuriating in the sound of his orchestra.

And well he might, for it was quite superb, whether playing selections from *On Duke's Birthday*, Westbrook's suite dedicated to the memory of his chief inspiration Duke Ellington; providing tastefully exuberant versions of big-band classics such as Lionel Hampton's *Flying Home*; or leaving the mix by collaborating with singer Kate Westbrook on songs taken from full-length Westbrook works such as *The Cortège* and *London Bridge is Broken Down*.

Although the spirit of Ellington infuses the suite dedicated to him, the actual music is unmistakably — indeed vintage — Westbrook. Beginning the concert with *Checking in at Hotel Le Prieure* and revisiting other parts of the work throughout the evening, Westbrook's orchestra not only faithfully reproduced all its subtleties — its affectingly wistful cadences, its plush muted brass arrangements —

but also joyously exploited its vivacious energy, whether through straightforward virtuoso soloing or roaring ensemble work.

The classics — among them Ellington's *It Don't Mean a Thing*... *Creole Love Call* and *East Saint Louis Toodle-oo*, along with Neal Hefti's gently romantic *L'I Darling* — were so faultlessly played, and went down so well with the Blackheath audience, that it seems safe to assert that Westbrook could make quite a decent living simply pushing the pleasure buttons of big-band nostalgia.

But, as his career amply demonstrates — he has produced a body of work embracing everything from opera through settings of Kate Westbrook's song cycles to jazz suites and cabaret — he is, luckily for all lovers of innovative and original music, thoroughly committed to maintaining his reputation as the UK's foremost jazz composer.

Anybody who has doubts about the ability of a bassist playing solo to attract and retain an audience's interest has clearly never been exposed to a performance by 55-year-old Stuttgart-born virtuoso Eberhard Weber.

Playing a specially designed five-string instrument, and utilising an electronic delay/echo machine capable of feeding, say, five-second musical passages back to him, he has, in his own words, “dragged the instrument out of that murky cellar” where it is capable of producing “only dark, low tones”, and enabled himself to “invent, add on, underlay and fade out a vast array of sounds, rhythms, notes or chords, according to the inspiration of the moment”.

The result of this innovative approach is Weber's much vaunted “bass as orchestra”,

easily capable — as he proved to a sell-out Queen Elizabeth Hall — of leaving an audience still demanding encores after more than 90 minutes of music. Typically, he will begin a piece by laying down a foundation — which can range from a drone to a repeated rhythmic or melodic figure — and then improvising over it.

Thus, in *Pendulum* — the title track of his 1993 solo ECM album — he established backing tracks ranging from the startlingly deep, long-sustained booms associated with faraway underground explosions to lightly plucked harmonics. Over them he then played either fingered solos which explored his celebrated gift for creating unashamedly romantic melodies, steeped in plaintive melancholy, or used a bow to produce a variety of skittering high notes and unusual, abrasive textures.

In *Delirium*, another selection from the same album, Weber laid down a D-note

drone (hence the tune's punning title) and, after bowing a brief but eerily atmospheric improvisation over it, used his fingers to produce a resonant, singing sound somewhat reminiscent of that produced by the late Jaco Pastorius.

On a few tunes — notably a rollicking piece, *Just A Moment*, described as “silly but difficult” by Weber — he would rely solely on real-time playing of propulsive energy to generate interest, or delve into the jazz historical repertoire of the instrument, from simple walking basslines to contemporary hammered funk effects.

But it was the intensely lyrical compositions such as *Children's Song No 1* which his audience had clearly come to hear, and Weber, as consummate an entertainer as he is a uniquely gifted bassist, didn't get where he is today by disappointing his audiences.

CHRIS PARKER

PICK HOLLY IN MARCH

LONDON
Victoria Palace
March 9

THE TIMES
THEATRE CLUB

ONE of last year's most popular Theatre Club events was the post-show party with the cast of the hit musical *Buddy*.

The fact that the show has now been running longer than Holly's own recording career is proof of the enduring charm of songs such as *Rave On*, *Peggy Sue*, *Oh Boy* and *True Love Ways*, as well as of a story that began in the small town of Lubbock, Texas, and ended — it ever did end — in a plane crash one snowy night in February, 1959.

Buddy is a must-see for everyone who loves rock'n'roll, and the icing on the cake is the chance to go backstage and meet the stars over a drink after the show. Tickets for a top-price seat are £16 (normally £25). To book, ring 0171-934 1371 quoting your membership number. Membership of the Theatre Club costs £12.50 a year. Call 0120 791371 to join. For general enquiries telephone 0171-937 9673.

Truk arrives with shock absorbers

RADIO: After all the hype about shock-jocks, Peter Barnard finds Talk Radio UK aiming to be more BBC than the Beeb

The compilers of Trivial Pursuit will want to know that the answer is 6.26am, assuming that the question is: at what time did Britain's first national commercial talk station receive its first call from a listener?

Dave was his name and he wished to say: "I can never understand why people celebrate St Valentine's Day, right? Because there was a massacre on that day, right?"

Six hours of continuous listening may be no basis for a definitive judgment of Truk but it can be said that the gap between hype and reality has not been so large since John Major announced that he intended to govern the country.

Far from being controversial and provocative, on the evidence of its opening half-day, Truk is banal and predictable. We are promised outrageous material from, among others, Caesar the Geezer in a late-night slot, but I heard Caesar's live test transmission the night before the launch. He spent a lot of time saying "I love you" to callers and only became "controversial" when he told someone working for the station to "bugger off". Wow.

There is news, weather and traffic every half hour, but all of these added together occupy a fraction of the time devoted to an interview with a man who owns a chocolate shop: "Chocolate is not fattening... except mass-produced chocolate."

There are also time checks, but these are woven into the fabric of the show: "Cathartic, that's a big word for ten past seven in the morning", and "I can't be dealing with all this at twenty past eight in the morning".

No politicians intrude, and apart from the non-fat chocolate man and interviews with other Truk presenters and some callers, there are few outside voices.

Truk is intended to appeal to the 25 to 45-year-olds. If it does, at least in the early morning when talk radio is supposed to be strongest, then one must seriously worry about whether that age group is ever to be properly informed.

But let us beware of having no truck with Truk, for Scott Chisholm's three-hour programme starting at 10am promises to be

"more fibre than fruit" (to invert one of Truk's dismal slogans). Chisholm, the combative former Sky News presenter, shows little sign of being the kind of far-right "shock-jock" which Truk's publicity promises — or threatens — and was commendably calm in raising the issue of Euro immigration yesterday.

Trouble is, the better it got, the less it resembled what Truk supposedly sets out to be. The publicity attacked everything from the BBC's middle-class agenda to the BBC's middle-class voices, yet there are twice as many regional accents among Today presenters as there are on The Dish. Chisholm's voice is pure Radio 4. Dr David Starkey, coming on Satur-



Caesar the Geezer: he loves you

days, is, and sounds like, an academic, and so on. So the real distinguishing marks of Truk are that there is little variety of programme format and you can phone it up, all day long. Is that enough?

Is the contest test or con?

ARCHITECTURE: The Cardiff Opera House shambles could become par for the course, says Marcus Binney

For five years the retrain has been the same: if Britain wants better buildings it must have more architectural competitions. Yet no sooner are the competitions under way than cries of "foul" are heard on every side.

At Cardiff there was outrage that a publicly announced winner was forced to compete anew against other finalists. Even though Zaha Hadid has now been reconfirmed as winner, the fierce local opposition to her plans for the new opera house looks set to continue. At Windsor Castle, meanwhile, the losers are up in arms because their designs have not been given full showing alongside the chosen design. One of them, Roderick Gradidge, has just held his own personal "Salon de Refusés" at the Art Workers Guild in London.

In one sense, this is merely a predictable replay of the squabbling over competitions for the Foreign Office and the Law Courts in the 19th century, which eventually brought the whole system into disrepute. In another way, however, it is a real abuse of architects' time and talent.

Yet the squabbling is bound to grow as both EU rules and National Lottery guidelines demand more and more competitions. Architect Ian Ritchie says: "In Britain we have been invited to enter just two competitions in the past 15 years. Suddenly it's mushroomed to eight in the past four months."

The cost of entering a large number of competitions can be crippling: a good architectural model can cost as much as £20,000. On the Continent it is usual to pay finalists a fee. In Britain this is rarely so.

though Windsor Castle was a significant exception.

Moreover, too many competitions appear to be just window-dressing. The client may already have decided on a name, probably a big one if lottery funds are crucial to the project. Recently, Sir Norman Foster has won the British Museum competition, Sir Richard Rogers the South Bank and Sir Michael Hopkins the Manchester City Art Gallery extension. Other entrants are left wondering if they ever had a chance.

The architects Evans and Shalev have competed in 33 competitions, winning eight and coming second in 12. It is a golden record, but their reward is just four buildings. "We are never going to do another competition," Eldred Evans said after the Manchester result.

Basically, there are two kinds of competition: open and invited. Open competitions provide the all-important first opportunity for young talent. The underlying principle is that all compete on equal terms. However, things go wrong — as they did at Cardiff — when the client tries to beef up the competition by inviting in big names halfway through the selection process.

The main purpose of competitions, you might think, is to produce winners. But clients can be unhappy with juries' choices. For this reason, one type of Royal Institute of British Architects competition allows the client to choose the architect from a shortlist of three put forward unranked by the jury. Equally, the Cardiff Bay Opera House

Trust was within its rights, for all the furore, to turn to the runners-up under the rules. The mistake lay in announcing a winner before everyone involved in financing and supporting the project had agreed upon the choice.

History demonstrates that competitions only work if the client is not only bound by the result but happy with it. The client must be convinced that the design will function well, that it can be built on time and on budget, that there will be a good working relationship with the architect and that the proposals will gain the all-important planning approval.

The client must have a strong presence on the panel of assessors. The Tate's ten assessors for its Bankside development included the director Nicholas Serota, three past and present trustees, and Joan Bakewell for the Friends of the Tate. As a result, the Tate's chairman, Dennis Stevenson, was able to state categorically that there was no question of Cardiff-style shenanigans.

The National Lottery introduces a new dimension to competitions. It is the public's own money that is being spent, and many lottery projects will also be dependent on further local fundraising. So it is crucial that the organisers can carry local opinion. In fact, the public has never been so clearly the client as well as the consumer.

Fear of public opinion is based on the idea that the public at large is "Disgusted of Tunbridge Wells", manically opposed to anything novel, adventurous or unusual. Yet Cardiff shows the opposite is the case. Both the alternative designs, by Nicoletti and



Zaha Hadid was forced to compete twice with her design for the new Cardiff Opera House

Hasegawa, are at least as futuristic as those by Hadid.

Richard Rogers's design for the National Gallery extension was at once the most popular and unpopular with the public, and might actually have been built if the president of RIBA at the time, Owen Luder, had not claimed that it was simply raising two fingers to London.

Competitions also run much more smoothly if, as at

Bankside, the main purpose is to choose an architect, not a design. John Outram has decided this is the way to go. "I no longer do quantities of beautifully finished drawings. Clients choose the architects they like as people. I prefer the beauty-contest approach where they simply interview you and look at your buildings."

Jesus College, Cambridge, recently adopted a variant of

this approach. Initially the college wrote to 30 architects. Six were chosen for further study and the selection committee visited the architects in their offices to interview them. Two finalists were chosen and were paid a fee to draw up a detailed scheme while the committee visited their buildings. This way, the client has a genuine choice and nobody is left feeling aggrieved or exploited at the end.

CLASSICAL CONCERT

Better tunes than Darwin

The Creation Covent Garden

JUDGING from his greatest work, Haydn must have had a personality rather like that of Voltaire's Candide. *The Creation* depicts the best of all possible worlds. God is shown to be creating it for man's pleasure. Therefore, the oratorio suggests, man's chief pleasure should be to return the compliment by praising God to the best of his ability.

Which, in Haydn's case, was considerable. From the ravishing depiction of the first sunrise to the flautist trombone and contrabassoon raps that announce the arrival of the big cats and the creepy-crawlies, from the extraordinary, visionary harmonies of the opening Representation of Chaos to the blazing fervour of the big choruses, *The Creation* is the textbook par excellence of 18th-century orchestral possibilities. No wonder that when the dying Haydn tottered into a Viennese concert hall to hear his *Creation* for one last time, his rebellious former pupil Beethoven rushed forward and kissed the old master.

No doubts, no moral dilemmas, no sins (original or otherwise) cloud *The Creation*. Even in those pre-Darwinian days such a literal delight in the Book of Genesis must have been rare. Significantly, the story stops before Eve's momentous chat with the serpent — as though the old man Haydn, reading the Bible to children, suddenly closes the book and says: "you can find out how the story ends when you grow up".

Yet the work is entralling and joyous rather than patronising. "It was not I but a power above who created it," Haydn said. When *The Creation* is given a performance as invigorating as John Eliot Gardiner's (sponsored by British Gas and PFI) the listener is inclined to agree.

Not everything was admirable. The tenor Michael Schade has a lovely timbre, but he seemed to be staging more for the microphone (the performance was connected with a Deutsche Grammophon recording project) than for the stalls. The placing of the soloists behind the orchestra didn't help. Similarly, the women of the splendidly precise Monteverdi Choir occasionally failed to cut through the orchestral sound, though the tenors and basses were in rampant mood.

But these were small quibbles when set beside the overriding confidence, exuberance and intelligence of Gardiner's reading. Most impressive was the stunningly assured playing on period instruments (including a lush-sounding fortepiano for the recitatives) by the English Baroque Soloists, in a score that tests nearly everybody's onomatopoeic virtuosity. Gardiner generally took a brisk and bouncy view, especially of the choruses which rejoiced in brassy rhythmic verve, yet detail after detail leapt vividly from the page.

Then there were Sylvia McNair's soprano solos. In some repertoire on the wrong evening she can sound laidback to the point of drowsiness. But here she used the flutey side of her voice to perfection in the "birds" aria, and her effortless cadenzas seemed like something straight out of the Garden of Eden. Gerald Finley's warm, humorous and well-focused characterisation of the parts of Raphael and Adam capped the evening's many pleasures.

RICHARD MORRISON

OPERA: Students overstep the mark, and in Russian

Serving a bit of a borscht

The Fair at Sorochintsi Royal College of Music

Marie-Jeanne Lecca's pleasingly Chagallian decor is temporarily revealed. But little girl's parents are played throughout as Andy Capp and Florrie in the semi instead of Cherevik and Khivrya in the Ukraine. Enough, already — this is all silly beyond words.

But musically there are rich rewards. This is Mussorgsky's most lyrical score, at least in Tcherenpina's completion, full of gorgeous tunes for the young lovers (I mean doctor and patient) and rumbustious comedy, at times suggesting a Russian Offenbach.

The only problem, for about 20 minutes in Act II, is just how funny drunks are, and I suppose Mussorgsky should know (that is below the belt, but my patience was

sorely tested, admittedly by Warner rather than Mussorgsky).

The greatest single pleasure was the scrumptious smile on the face of Gennadi Rozhdestvensky as he drew playing from the RCM Opera Orchestra of such confidence and accomplishment that one scarcely believed they were students.

There are some promising singers: Aled Hall, a free-toned, mellifluous tenor hero; Tomas Tomasson as the father, a rich, closely focused bass who sang unsparingly loudly; Paul Robinson, a baritone with a real feel for musical phrase as one of the drunks. As the heroine, Fiona MacDonald concentrated on volume at the expense of steadiness and roundness of tone — she shouldn't.

RODNEY MILNES

THERE are one or two odd things about the London Royal Schools' vocal faculty's production of Mussorgsky's rustic comedy, *The Fair at Sorochintsi*. First, it is sung in Russian (three English translations exist). Perhaps the students, downhearted at the decline in work prospects here, are all planning to apply for jobs in Russian opera houses, not having been warned that things are even worse there. That their mentors should concentrate on helping them sing their own language to audiences who understand it would of course be too obvious and banal a course of action.

Doubtless regular audiences at the RCM are all fluent in Russian, but I should warn any less privileged outsiders that they will have a pretty thin time of it, especially in a second

act that is all words. The probability of their not having a clue about what is going on will be increased by Keith Warner's old-fashioned production, of the flying bedstead tendency.

Mussorgsky's opera is based on one of Gogol's Dikanka tales, but the curtain rises on what might be a semi in Accrington. Little girl is ill in bed, attended by doctor; someone gives her a book of Ukrainian folk tales; bed flies up in the air, and



Tippett: still celebrating

songs, prompted Tippett to a decorative musical setting in which style and sentiment are ingeniously related. Catherine King's mezzo singing of the "Autumn" verse was notably warm and eloquent after she had been joined by soprano Judith Rees in the duet for "Summer". The New London Chamber Choir, here represented by 16 female voices, brought both sensitivity and assurance to the rest.

NOEL GOODWIN

At ease in paradise

THE paradise vision of the Triple Concerto began this instalment in the London Symphony Orchestra's survey, for his 90th birthday, of the work of Sir Michael Tippett. When, next week, we hear the world premiere of his latest and by all accounts last orchestral piece, *The Rose Lake*, will we witness such rapture in song and sound, such rampant celebration? This work, from 1980, is Tippett's finest instrumental achievement, a potent marriage of medium and message which collects ideas and impulses as if pebbles on a beach, and assembles and disperses them in a brilliant and impressive mosaic.

In many ways, I thought as I listened to this marvellous performance, the work functions technically through the tensions of extreme opposites and primarily through the interplay of motion and stasis. None of Tippett's music seems more static or more lovely

than the gorgeously indulgent slow movement, which evokes the sounds of the gamelan and so offers a perspective of time quite different from that usual among Westerners. But there are other contrasts; that of orchestra and soloists is emphasised by soloistic passages of quasi-improvisatory lyricism and by "pairings off" between various soloists and orchestral instruments — again a timeless freedom within a time-defined structure. Tautness comes from the opposition of Tippett's taut, twisty contrapuntal writing and his bold, fanfarist statements, although the one often leads imperceptibly into the other.

All this the composer contains within a seamless fast-slow sequence linked by two interludes, which work like the "dissolves" in his opera *The Knot Garden*, magically taking day into night into the glorious, exuberant day of a finale that closes by fragmenting in celebration.

STEPHEN PETTIT

Songs from Shakespeare

MUSIC for Shakespeare was contrasted with music for a school celebration in another of the early-evening programmes at St Giles, Cripplegate, associated with the Barbican's Tippett festival. The Nash Ensemble was conducted by Andrew Parrott, who, with Roger Savage, devised a new sequence from the incidental music and songs that Tippett wrote for a production of *The Tempest* at the Old Vic in 1962 — now with the title *To the Elements* by Friel.

These words come from Prospero's farewell to Ariel at the end of the play, and it is that "tricky spirit" whose lines mostly serve to link the music, which includes the three songs for Ariel which Tippett published separately. They were sung with clarity and grace by the tenor Charles

Daniels, while actor Simon Russell Beale spoke the text between and occasionally over the music. Once or twice the length of speeches in a work now lasting some 35 minutes threatened to overbalance music which — the songs apart — was never more than fragmentary. In the scoring for wind instruments with harp, harpsichord and percussion, it was all pleasantly diverting without achieving much feeling of substance except in the masque-music.

This was preceded by *Crown of the Year*, a cantata for female voices, composed for the 1986 centenary of Badminton School, Bristol. Christopher Fry's poetic conceit of verses relating to four queens, from the first Elizabeth to the second, and to the four sea-

THE TIMES



Happy to play for 20p: Manchester's Hallé Orchestra

Hear the Hallé for 20p

Go to a concert and you can take a friend for the cost of Britain's greatest newspaper. Forty orchestras and ensembles are performing at more than 150 concerts in halls all over Britain where *The Times* offer allows you to buy a second ticket for 20p.

The Hallé Orchestra in Manchester is Britain's longest-established professional symphony orchestra. Since its formation in 1858 it has had only seven permanent principal conductors, the present being Kent Nagano.

The Hallé has four concerts on offer and you can claim a 20p ticket for each of them, provided you book all tickets at the same time. This Sunday, February 19, John Currie conducts Haydn's *The Creation* and on February 23 Ole Schmidt conducts Franco Gulli in Beethoven's *Violin Concerto*. Kent Nagano takes the baton for the final two concerts in our offer, on March 5 and 9. The concerts include works by Brahms, Berlioz and Bartok.

A full list of concerts in London was printed on February 7 and a list of regional concerts was printed yesterday. To book your 20p tickets, collect six tokens from *The Times* and telephone the number given in the listing. When you buy one ticket at the full price you will receive a second for 20p.

THE TIMES




[illegible]

Lynne
Truss

But it plods, it slugs, it neglects Ted, and at the end of 25 minutes, it stops. Also, where do all the audiences come from for Billy's show? Look into the stalls during a matinee, and the house is packed with happy laughing people; scan the promenade on a fine day and it's like the morning after the neutron bomb. Meanwhile Frank Windsor (hell him) injects all the energy (perhaps because he's not "bittersweet": he's jealous and conniving), and Russ Abbot grins and shrugs bravely on the sidelines, as if to say "No, I'm fine, carry on". Abbot models his trousers, haircut and windcheater to perfection, but clearly he is too polite to say what he's really thinking, that if it's not required on set, he could pop home and nuke a duck.


CHAPTER 1

6.35 **Sandokan** (r) (3076912)
7.00 **The Big Breakfast** (17554)
9.00 **You Bet Your Life** (r) (35825)
9.30 **Schools: Living and Growing** (143196) 9.46 **Ta White and Read** (9166047) 10.02 **Stage TV Science** (8649047) 10.18 **Mind Your Own Business** (8928654) 10.40 **Living with Technology** (1803131) 10.55 **Film and Video Showcase** (3031912) 11.00 **Encyclopaedia Galactica** (9538757) 11.18 **Ta Music Show** (2319022) 11.30 **Ret-a-Tail** (3274080) 11.45 **First Edition** (3202683)
12.00 **House To House**. Political magazine (55689)
2.00 **Sesame Street**. Pre-school learning entertainment (24950) 1.30 **Tale 5 featuring Mister Men, Ta from the Riverbank, Natalie, Hor the Engine and Juggy Bear** (r) (70486)
2.00 **Starlight Serenades**. Cartoon (59630026)
1.15 **FILM: Mercy or Murder?** (1887) starring Rob Young and Frances Reid. A made-for-television drama about an elderly retired doctor who decides to mercy kill his terminally-ill wife. Directed by Steve Gethers. (Telecast) (666973)
4.00 **Jeopardy**. Clive Gurnell continues his south England odyssey and reaches Salisbury Park. (Telecast) (s) (739)
4.30 **Countdown**. (Telecast) (s) (221)
5.00 **Rick Lake**. The guests are women who delight in teasing other women's men. (Telecast) (7708318)
5.50 **Terrylions**. Classic cartoons (884022)
6.00 **The Crystal Maze** (r). (Telecast) (s) (80134)
7.00 **Channel 4 News** (Telecast) and weather (70167-7) 7.50 **The Slot** (778395)
8.00 **Brookside**. (Telecast) (s) (7283)



Pete McCarthy visits New Zealand (8.30pm)

8.30 Travelog. The final programme of the series first. Andy Kershaw in New Mexico's cowboy country and Pete McCarthy in New Zealand. (Teletext) [6318]

9.45  **Out of Order.** (Teletext) (s)
(243047)

10.00 **ER.** American hospital drama series. (Teletext)
(1573)

11.00 **The Best of the Tube** presented by Joelle Hollis and Paula Yates. Tonight's highlights include Terence Train D'Arby's television debut and the band's last live television gig (s) (844370)

11.35 **Moviehouse** (r) (s) (481370)

12.05am **Live.** Courtroom drama (s) (766560)

1.00 **World Nightmares.** The music of Charlie Mingus explored by Ray Davies with the help of El Cestigo, Vernon Reed, Keith Richards, Charlie Watts and archive film footage (r) (s) (1232158)

2.05 **FILM:** Under Two Flags (1936, b/w) stars Ronald Colman, Victor McLaglen and Claudette Colbert. Drama about an Englishman who joins the French Legion to cover up a crime committed by his younger brother and finds himself as a rival of a commandant for the love of a woman. Directed by Frank Lloyd (983993). Ends at 3.45

[illegible][illegible][illegible]

1

**FROM ROB HUGHES, FOOTBALL CORRESPONDENT
IN DUBLIN**


Venables may mistrust his reluctance towards the work ethic, but the England coach, a little wearily after so many

acquired only 15 caps in the nine years under Charlton (he has scored seven times) his form with Wolverhampton Wanderers is good.

Barton warms up for his England debut during tra

"England only needed to send over the jerseys to fill Lansdowne Road," according to the Irish federation, which received 90,000 applications for tickets, more than twice the stadium's capacity. However, as Venables said, there is nobody in his squad who is

ing while Irwin and Charlton, the Ireland manager, plot their response yesterday



IRELAND
SUBSTITUTES
 (from): Bonner, Kenna,
 Daleh, O'Brien,
 McLoughlin,
 Cescarino

BY RUSSELL KEMPSON

Adams was dismissed in the 53rd minute when he was involved in an alleged elbowing incident with Mark Bright, the Wednesday forward. Adams maintained he had simply been demonstrating what Bright had been doing to him, but, after watching the video, Burge confirmed his decision.

By RUSSELL KEMPSON

Neal: dismissed

The latest managerial change, in a football season that has seen 32 departures in the FA Carling Premiership and Endsleigh Insurance League, was triggered by Neal's dismissal yesterday. Coventry had slipped to eighteenth in the Premiership.

The path was cleared for Atkinson, who has also had spells in charge of Manchester United, West Bromwich Albion, Atlético Madrid, Sheffield Wednesday and Cambridge United, after he finally agreed compensation with Villa over

Strachan, now coaching at Elland Road after retiring from first-team football earlier this season, should make a smooth transition from playing staff to backroom staff. When Atkinson was in charge at Old Trafford more than a decade ago, he signed Strachan from Aberdeen.

Neal, who took over from Bobby Gould in October 1993, at least had the satisfaction of leaving on a victorious note. His final game, against Crystal Palace at Selhurst Park on Saturday, produced a 2-0 victory. However, he could not resist a parting shot at the

"I'm leaving Coventry City with a lot of sadness," he said. "When I started, I committed myself to manage with a lot of guts and determination, but injuries and suspensions over the last couple of months have made life extremely difficult. I appeal to the whingers who seem to enjoy constantly sniping at the club. I say to them, for the next 14 games, back the team to the hilt. With that sort of support, I see no reason why a top-ten finish cannot be achieved."

Richardson was equally disappointed at being forced to discard Neal. "Since Phil took

More than a third of English league clubs have changed managers this season. With the relegation issues becoming increasingly intense, further blood-letting can be expected.

The image shows three identical glasses of beer. The first glass on the left has a very thin head of foam. The middle glass has a slightly thicker head. The third glass on the right has a significantly thicker head of foam, illustrating the concept of headspace.

PURE GENIUS.

Guinness wish both teams
good luck in Dublin tonight.

Answers on page 44

CROSSWORD BOOKS The Tiles Concise Crosswords (Books 1 & 2 £5.99 each), Books 3,4,5,6 & NEW Book 7 £5.50 each, The Tiles Large Concise Crosswords: (Books 1 & 2 £5.99 each, Concise Book £5.99), The Times Crosswords: (Books 1 to 13 £4.99 each), Books 14 to 18 & NEW Book 19 £4.99 each, The Sunday Times Crosswords - (Book 1 £4.99), Books 2,3,4,5,6 & NEW Book 7 £4.50 each, The Sunday Times Crosswords: Books 8,9,10,11,12 & NEW Book 13 £4.50 each, The Sunday Times Crosswords: Books 14,15,16,17,18,19 & NEW Book 20 £4.50 each. Extraordinary crossword books available for all formats for IBM PCs and Acorn Archimedes computers. The Times Crosswords Vols 1-13 The Times Computer Crosswords Vols 1 to 6, The Sunday Cheques with order pads. *How to Solve* Ltd, 51 Manor Lane, London SE13 5QW. Tel 011-852 495 425. Fax 011-852 495 426.

TIMES TWO
CROSSWORD
No 396

ACROSS	DOWN
1 Post on traffic island (7)	1 Move reluctantly: give ground (5)
5 Squash-like game played with hands (5)	2 Haul; a projecting piece (3)
8 Edgar ~, (esp. ballet) painter (5)	3 Spartan (7)
9 One-against-one matches (7)	4 Wiping cloth (6)
10 Dessert course (9)	5 Resources of money (5)
11 One-spot card (3)	6 Treat rubber to strengthen it (9)
13 Long pin for meat (6)	7 Possible criminal (7)
14 Hungarian currency (6)	11 Shaking nervously (9)
17 Second person pronoun (3)	13 Colour of the heavens (3-4)
18 Imposing size, manner (9)	15 Tragic Greek, killed father, married mother (7)
20 Sentry (7): retrieve from store (4,3)	16 Prickly desert plant (6)
21 US hickory nut, made into pie (5)	18 One of morbid tastes (5)
23 Canvas stand (5)	19 Bone cavity, esp. in head (5)
	22 Signal, reminder (3)

ACROSS: 1 Elbow grease 7 Goner 8 Fanfare
10 Giovanni 11 Limp 13 Dismay 15 Career 17 Ogre 18 Pro-
tégée 21 Extrude 22 Stoic 23 Half-hearted

DOWN: 1 Engaged tone 2 Bongo 3 Workaday 4 Refund
5 Aunt 6 Examine 9 Experienced 12 Fantasia 14 Stretch
16 Breech 19 Ghost 20 Duel

WINNING MOVE

This position is from the game Schonbauer - Despotovic, Yugoslavia 1974.

In this complicated position, Black is a piece down and both sides have a knight vulnerable to capture. What is Black's best move?

Solution, page 44
Raymond Keene, page 8

WORD WATCHING

By Philip Howard

INVULTUATION
a. Someone's preferred profile
b. Confronting
c. Sticking pins into

MALVERSATION
a. Filthy conversation
b. Malpractice
c. Slander

SOFFIT
a. The underside of an arch
b. To pamper or cosset
c. A Byzantine official

BICRURAL
a. Having two legs
b. A type of mollusc
c. With dual legislatures

Answers on page 44

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a. The underside of an arch
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